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On a Legend from the Island of Tiree

WHEN J. F. Campbell, of Islay, produced in 1860 his *Popular Tales of the West Highlands*, there was good reason to suppose that a final record of the old Highland stories had been brought together. Each succeeding generation knows less and cares less for the older traditions, and the fireside tales of long ago die out as surely as the smouldering embers beside which they once were told. It was little to be expected that a writer should appear to carry on the quest and thus add greatly to the mass of material brought together in that valuable work. This has fortunately been the case, as the writings of the Rev. John Gregorson Campbell clearly show. He was Minister of Tiree from 1860 till his death in 1895, and during those years he wrote continually on the Folk-lore of the Highlands, collecting most of his information from oral sources in his island Parish.

With Gaelic for his native tongue, and no less fully equipped than Islay with the knowledge and sympathy his subject required, he had like him a remarkable talent for rendering the Gaelic stories into most attractive English. His writings include papers to the *Celtic Review*, the *Celtic Monthly*, and the *Transactions of the Inverness Gaelic Society*. He also contributed the stories which form the fourth and fifth volumes of *Waifs and Strays of Celtic Tradition*,¹ while within the last two years two posthumous volumes have appeared, one on the *Superstitions of the Highlands*, the other on *Witchcraft and Second Sight*.²

¹ Edited by Lord Archibald Campbell. D. Nutt. 1895.

² Glasgow: James MacLehose & Sons. 1900. 1902.

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It is with one of the stories in the fifth volume of *Waifs and Strays* that this paper is concerned. It is called, from one of its incidents, 'O'Neil, and how his hair was made to grow,' and is told with such conciseness that I have been tempted to print it in full.

"There was a smith, before now, in Ireland, who was one day working in his smithy, when a youth came in, having two old women with him.

He said to the smith:

'I would be obliged to you,' he said, 'if you would let me have a while at the bellows and anvil.'

The smith said he would. He then caught the two old women, threw a hoop about their middle, and placed them in the smithy fire, and blew the bellows at them, and then took them out and made one woman, the fairest that eye ever saw, from the two old women.

When the smith laid down at night, he said to his wife:

'A man came the way of the smithy to-day, having with him two old women; he asked from me a while of the bellows and anvil, and he made the fairest woman that man's eye ever saw, out of the two old women. My own mother and your mother are here with us, and I think I will try to make one right woman of the two since I saw the other man doing it.'

'Do,' she said, 'I am quite willing.'

Next day he took out the two old women, put the hoop about their middle, and threw them in the smithy fire. It was not long before it became likely that he would not have even the bones of them left.

The smith was in extremity, not knowing what to do, but a voice came behind him:

'You are perplexed, smith, but perhaps I will put you right.' With that he caught the bellows and blew harder at them; he then took them out and put them on the anvil, and made as fair a woman out of the two old wives. Then he said to the smith:

'You had need of me to-day, but,' said he, 'you better engage me; I will not ask from you but the half of what I earn, and that this will be in the agreement, that I shall have the third of my own will.'

The smith engaged him.

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At this time O'Neil sent abroad word that he wanted one who would make the hair of his head to grow, for there was none on the head of O'Neil or O'Donnell, his brother, and that whoever could do it would get the fourth part of his means. The servant lad said to the smith:

'We had better go and make a bargain with O'Neil that we will put hair on his head,' and they did this. 'Say you to him,' said the servant lad, 'that you have a servant who will put hair on his head for the fourth part of what he possesses.'

O'Neil was agreeable to this, and the servant lad desired to get a room for themselves, and asked a cauldron to be put on a good fire.

It was done as he wished. O'Neil was taken in and stretched on a table. The servant lad then took hold of the axe, threw off O'Neil's head, and put it face foremost in the cauldron. After some time he took hold of a large prong which he had, and he lifted up the head with it, and hair was beginning to come upon it. In a while he lifted it up again with the same prong, this time a ply of the fine yellow hair would go round his hand. Then he gave the head such a lift, and stuck it on the body. O'Neil then called out to him to make haste and let him rise to his feet, when he saw the fine yellow hair coming in into his eyes. He did as he had promised; he gave the smith and the servant lad the fourth part of his possessions.

When they were going home with the cattle the servant lad said to the smith:

'We are now going to separate, we will make two halves or divisions of the cattle.'

The smith was not willing to agree to this, but since it was in his bargain he got the one half. They then parted, and the animal the smith would not lose now, he would lose again, he did not know where he was going before he reached home, and he had only one old cow that he did not lose of the cattle.

When O'Donnell saw his brother's hair, he sent out word that he would give the third part of his property to any one who would do the same to himself. The smith thought he would try to do it this time alone. He went where O'Donnell was, and said that he would put hair on his head for him also, as he had done to his brother O'Neil.

Then he asked that the cauldron be put on, and a good fire below it, and he took O'Donnell into a room, tied him

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on a table, then took up an axe, cut off his head, and threw it, face downwards, into the cauldron. In a while he took the prong to see if the hair was growing, but instead of the hair growing, the jaws were nearly falling out. The smith was almost out of his senses, not knowing what to do, when he heard a voice behind him saying to him, 'You are in a strait.' This was the lad with the Black Art, he formerly had, returned. He blew at the cauldron stronger, brought the prong to see how the head was doing, or if the hair was growing on it. The next time he tried it, it would twine round his hand. Since it was so long of growing on it, he said, 'We will put an additional fold round my hand.' When he tried it again it would reach two twists.

He took it out of the cauldron and stuck it on the body. It cried to be quickly let go, when he saw his yellow hair down on his shoulders.

The hair pleased him greatly; it was more abundant than that of O'Neil, his brother. They got fully what was promised them, and were on their way home. The lad who had the Black Art said, 'Had we not better divide the cattle?'

'We will not, we will not,' said the smith; 'lift them with you, since I got clear.'

'Well,' said the other, 'if you had said that before, you would not have gone home empty-handed, or with only one old cow,' and with that he said, 'You will take every one of them; I will take none of them.'

The smith went home with that herd, and he did not require to strike a blow in the smithy, neither did he meet with the one with the Black Art, ever after."

This story, I think, stands quite alone among the Highland legends. The first sentence, 'There was a smith, before now, in Ireland,' suggests that it might have an Irish equivalent, but this does not appear to be the case.

No more curious character than the wonder-working lad can be imagined. Even the original narrator seems puzzled about him, for though at first he is called 'the youth' or the 'servant lad,' he is later spoken of as 'the lad who had the Black Art.' But he is no demon in the ordinary sense, nor does he appear to have designs against the soul of the smith, whom he treats throughout with the greatest magnanimity. When the smith's mad experiment on his own and his wife's

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mother is becoming disastrous, he appears and prevents the catastrophe. Once more he saves him from the results of his folly in the case of O'Donnell, and the smith's subsequent immunity from work seems also to be due to the youth's good offices.

By chance I came across another rendering of this story, in which among many differences, the wonder-working stranger is none other than Our Lord Himself. It is to be found in Mr. W. Carew Hazlitt's *Early Popular Poetry of England*,¹ and is there called *The Smyth and his Dame*. Mr. Hazlitt reprinted it from an early black-letter book, of which the only known copy is now in the Bodleian Library, and reproduced from the first page the curious woodcut¹ showing a woman stretched upon an anvil, between the smith and the stranger, whose divine nature is indicated by a cruciform nimbus. On this page there is a MS. note attributing the poem to John Lydgate, but the book has neither date nor title-page. The illustration facing p. 120 has been specially made for this article from the Bodleian copy. The MS. note runs thus: 'By John Lydgate Monke of Burie 1440 vide Baleum folio 587.' This reference is to John Bale's *Catalogus Scriptorum*. Ed. 1557.

The story opens by telling how in Egypt it befell that at one time dwelt a smith.

The smyth was a svbtyll syer;
For well could he werke wyth the fyer
What men of hym wolde desyer,
I tel yov trovth by my fay.

Moche boste gan he blowe
And sayd he had no felowe
That covd worke worth a strawe
To hym, ferre nor nere,
He called hym selfe the kyng,
Wythovt any leasyng,
Of all maner of cvnnyng,
And of certes clere;
Tyll it befell vpon a day,
Our lorde came there away,
And thought the smyth to assay,
As ye shall after here.
For his pompe and his pryde,
That he blewe in eche syde
Ovr lorde thought at that tyde
His pryde shold be layed:

¹ John Russell Smith. London. 1866.

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Our Lord accosts the smith and asks him to make a staff of steel which will lead a blind man so that he shall neither stumble nor fall. The smith demurs, and says it would be easier to make a blind man see than to fashion such a staff. Our Lord then says that not only can he do this, but that he can make an old man young again.

The smyth sayd, so mote I the,
I haue an olde quayne wyth me,
Myne olde beldame¹ is she.

And thou covd make her yonge so
Than wolde I be fayne.
Our Lorde sayd, where is she?
Anone let me her se,
And thov shalt se a maystre
More than thov can.

The smith goes to fetch her, but in spite of his promise of renewed youth, she remonstrates.

Than set she forth a lovde cry
And sayd, Stronge thefe, let me ly,
Thov art, I trowe, a madde man:
Let me lye, thov unthryfty swayne
Nay —

At this point a page is missing in the original. When the story resumes, it is evident that she has been placed in the fire, and that it is Our Lord who says

She shall be made at a brayd
Yonge now againe.
The smyth blewe as god bed,
Tyll she was reed as a gled;
Yet for all that dede
Felt she no maner of payne.
The smyth said, Now is she shent
Both her eyen are ovt brent,
They will never be ment,
Our works are all in uayne.

Our Lorde sayd, Let me alone
Thov shalt se, and that anone,
A full fayre woman
Of this olde wyght.
Our Lord blessed her at a brayd,
And on the styth he her layd;
Take thy hamer, he sayd,
And make her now ryght.

¹ His mother-in-law.

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Dame, I shall the wake!
With a hamer he her strake,
No bone of her he brake,
She was a byrd bryght;
Stand vp, now lette me se,
Than at that worde rose she,
A fayre woman trvely,
And seemely unto syght.

The smith begs Our Lord to teach him the secret of His craft, but in vain; and with a warning against his boastfulness, He passes on His way.

The second part of the tale shows how the self-confident smith tries to work a similar miracle on his wife Joan; but if he had a difficulty in making his mother-in-law submit, with his wife it was far worse, not even the sight of her mother restored to youth has any effect.

Art thov my mother? says she.
Ye, sayd she, trvely;
Than sayd she, *Benedicite*,
Who hath made the thvs?
Anone to her gan she say,
I was made thvs to daye
With one that came by the waye,
Men call hys name Jesvs.

The smith drags his wife to the forge in spite of her resistance.

Then she sperved at hym so,
That hys shynnes bothe two
In sonder she there brake.

After a battle royal, most spiritedly described, the smith throws his wife into the fire and afterwards places her on the anvil.

Than he hent her vp on high,
And layed her on the stethy,
And hamered her strongly
With strokes that were ungayne.

Than bothe her legges at a brayd
Fell sone her fro.
What euyll hayle, said he,
Wylt not thov yonge be?
Speke now, let me se,
And say ones, bo.

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There is no reply, and matters go from bad to worse; finally the smith abandons his work and in despair

After Jesu fast he ran,
As he had ben a madde man.

Our Lord returns with him, accepts his confession of penitence and restores his wife to youth and beauty. Then follows a scene in which the smith, his dame, and his mother-in-law kneel before Him and give Him thanks.

Probably enough has been quoted to show the similarity of the two stories; but I am tempted to add a few lines from the end of the poem, as they seem to point to an earlier legend with which Lydgate, or whoever wrote *The Smyth and his Dame*, must have been familiar.

Ovr Lorde sayd to the smyth tho,
Loke thov brenne neuer mo,
For this craft I shall tell the,
Can thov neuer lere.
*But here a point I gyue the,
The mayster shalt thov yet be
Of all thy craft trevely,
Wythout any delay:
What man of craft so euer be,
And he haue no helpe of the,
Thoughe he be neuer so sle,
Warke not he may.*

I think the writer had in his mind a curious legend of Saint Eligius or Saint Eloy,¹ a patron saint of the farriers, and Bishop of Noyon from 640 to 648. He was so skilful in handicraft that in a boastful moment, and in his unconverted days, he placed above his door the motto:

‘Eloi, maître sur maître, maître sur Dieu.’

But there came to him one day an unknown shoer of horses, a youth of noble bearing, and while St. Eloy was questioning him with a view to an engagement, a horseman called asking that a lost shoe should be replaced without delay. St. Eloy with his companion went out to attend to this. The horse, however, was so restive that he wanted to

¹ For the story of this saint I have used an article by the late Dr. George Fleming, C.B., *The Folk-Lore of Horse-shoes and Horse-shoeing*, in the *Nineteenth Century* for August, 1902, and his book on *Horse-shoes and Horse-shoeing*, published in 1869.

There begynneth a treatise of
the smyth towhch that forged
hym a newe dame.

By John L. Dgale mon A.
B. 1440. N. 20. 21. 22.
f. 587.



God that dyed on a tree
He glad them al with his gle
That wyll herken vnto me
And here tohat I wyll say
And ye shall here a maruel

Of a tale I shall you tell
How in Egypt it befell
And in that same countre
Some tyme ther dwelled a smyth
that had bothe lande and lyth
Many a plowman hym wpyth
By nyght and eke by day
the smyth was a subtyll spec
for well could he worke toth the spec
what men of hym wolde desper
I tel you trouth by my say

Smyth,

A. I.

He



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secure it in a travis, but the stranger took the matter in hand, cut off the horse's leg at the knee with a single stroke, shod the hoof and replaced the leg without loss of blood or discomfort to the animal.

The sequel to this story is the same as in the foregoing ones. St. Eloy tries to perform a similar feat without the mysterious helper. He fails of course, and the stranger, in answer to his prayers to heaven, returns to save him and to restore to life the horse that was dying under his hands. St. Eloy now sees that it is Our Lord, removes his blasphemous sign, and henceforth devotes himself to the service of God.

To go back for a moment to the Tíree story. Only the earlier part of it finds a parallel in *The Smyth and his Dame*; of O'Neil and how his hair was made to grow there is no suggestion; but there seems to be more than a hint of likeness between the story of O'Neil and his brother and that of St. Eloy. In the former O'Neil's head is struck off and painlessly replaced when the hair has grown, in the latter the leg of the horse is bodily removed and replaced when the hoof is shod.

The story evidently belongs to a class devised in the early days to familiarise ignorant people with the miraculous powers of Our Lord. Is it not then conceivable, as a horse-shoeing miracle might not appeal to an island where horses were few, that in days when long locks were much desired, the story became changed so as to render it more convincing?

The fame of St. Eloy had reached this country in the Middle Ages. He is mentioned more than once in the poems of Sir David Lyndsay, and until a few years ago a tempera picture of him existed on a pillar in the church of St. Nicholas at Highworth, Wilts. It was destroyed during some alterations, but it showed the saint, robed and mitred and nailing a shoe on a horse's hoof, the leg being held in the left hand. This curious wall-painting forms the frontispiece to Dr. Fleming's book, already mentioned, and there are marked points of resemblance between it and the wood-cut to *The Smyth and his Dame* which is here reproduced.

If I am right in thinking that there is a connection between the Tíree story and that of St. Eloy, there is a remote chance that the latter tale might have reached Tíree at a very early time.

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Some fifty years after the death of the Bishop of Noyon, another French Bishop, Arculphus by name, was, on his return from Palestine, landed at Iona, whither he had been driven by stress of weather, and where he became the guest of the Abbot, St. Adamnan. He related to his host the story of his travels, how he had gone to Palestine for the sake of the Holy Places, and had passed through the whole Land of Promise, visiting also Damascus, Constantinople, Alexandria, and many islands of the sea. Bede tells how the Abbot received him most willingly, and heard him more willingly, so much so that he himself at once caused to be committed to writing whatever Arculphus testified to be worthy of mention of all that he had seen in the Holy Places.

May not Arculphus have told to the monks tales of his own land as well as of his travels, and thus the story of St. Eloy may not only have reached Iona but also the neighbouring monastery of Tiree?

This is of course only conjecture; all that can be said with any certainty is that the Tiree story was suggested by the other two. In conclusion, let me allude to another story which will occur to anyone as having points in common: The rejuvenescence of Æson by Medea, and her perfidy in the matter of Peleus and his daughters; though here, alas, there is no 'Deus ex machina' as in the other legends, to put matters right.

R. C. GRAHAM.

The Municipal Institutions of Scotland:

A Historical Survey

THERE seems to be no reason to doubt that, at a time anterior to any existing Scottish legislation, the little village communities which grew around Royal and Baronial Castles and Religious Houses, or on sites otherwise suitable, cultivated—with the sanction and largely for the benefit of their lords—such scanty trade as was then practicable. But their position was precarious. They were probably in a position of absolute villenage, and had no rights or privileges save such as the policy or caprice of their lords allowed. The protection they enjoyed was also burdened with heavy impositions. But in process of time the Sovereign and the more powerful nobles came to recognise it to be their interest to encourage the development of the little trading communities which had sprung up around them, and this they did by the concession of privileges in the form largely of monopolies and exclusive dealing. In the communities thus formed societies known as *hanses* or guilds were instituted, and the privileged members of these communities, in process of time, claimed the right to administer the affairs of the burgh in which they existed, to the exclusion of the humbler classes of craftsmen. But before this stage of development had been reached, it became obvious to the Sovereign and to the lords, lay and ecclesiastical, that the prosperity of the trading communities, established on their respective territories, conduced to their own advantage, and so it became customary for these communities to obtain farther concessions of privilege. In grants of these the Crown took the lead. The burghal communities established on the royal domains were specially privileged, and, in return for the advantages which they thus secured, the Crown received, in the shape of fermes or rents, tolls and customs, important financial advantages, and accessions of strength through the increase of an industrial vassalage. The

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baronial superiors, lay and ecclesiastical, of the burghal communities established on their territory, seem to have followed the royal example, but the burghs of Regality and Barony which were formed under their authority, were subordinate, in rank, position, and privilege, to those burghs which held directly of the Crown.

To the ROYAL BURGHS attention will first be directed, and reference will afterwards be made to burghs of Barony and Regality, Parliamentary burghs, and the modern class of Police burghs.

In one sense all towns established on the domains of the Crown and held directly of the Sovereign were Royal Burghs. But our constitutional writers have held that the essential *criteria* of proper burghs royal are the erection of the burgesses into communities or municipal corporations, and the grant of property to the individuals and the community under a permanent feudal tenure, in return to the Crown for certain fixed rents or *maills*, and the performance of personal services for the security of the public peace. In this matured form Royal Burghs existed in the reign of Malcolm IV. (1153-1165) and his immediate successors, but the charters and grants to these burghs—the earliest of which now known is of the reign of William the Lion (1165-1214)—recognise by implication the previous existence of these burghs as communities connected by common interests.

So early as the reign of David I. (1124-1153) that monarch embodied in his "Laws of the Four Burghs" a code of burghal legislation which shows them to have been, even then, compact, well-organised bodies, and enables a distinct conception to be formed of the municipal constitution of the little trading communities of that time. That code was obviously largely based on the pre-existing constitution and laws of English boroughs. Many of its enactments were doubtless recognised and operative in Scotland before they were thus formally adopted by King David, and though it was made expressly applicable only to the four burghs of Berwick, Roxburgh, Edinburgh, and Stirling, there can be little doubt that it was speedily accepted and recognised as authoritative by the other burghal communities which then existed, or were subsequently constituted, and formed the *nuclei* around which the infantile home and foreign trade of the country became concentrated. The "four burghs" were then doubtless the principal burghs of the kingdom, and David's laws were specially addressed to them. But, as other burghs existed

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in Scotland, there seems to be little reason to doubt that these laws gave legislative sanction and authority to much that was previously recognised and operative in them. This earliest extant burghal legislation was supplemented by statutes passed in the time of William the Lion, between 1165 and 1214; by the Statutes of the Guild of merchants of Berwick, enacted in or before 1249, and speedily accepted and quoted as authoritative in the Scottish burghs; by provisions in the treatise known as the *Regiam Majestatem* imported from the English work of Glanvil, and sanctioned by the Scottish Parliament; and by several other documents which throw light on the laws and practice of the early burghs of Scotland. These other documents include (1) the *Constitutiones Nove* or New Constitutions, which are identical with clauses in charters granted to burghs by William the Lion; (2) a capitular known as *Assisa de Tolloniis* regarding great and small customs levied in Scotland on goods exported and imported during the reign of Robert the Bruce; (3) a document apparently of the latter half of the reign of Robert the Bruce, known as the *Articuli inquirendi in Itinere Camerarii*, containing a list of points to be enquired into at the Eyre of the Great Chamberlain, who had cognisance in early times of all burghal matters; (4) the *Juramenta Officiariorum*—a form of oath to be taken by the officers of burghs in the reign of King Robert; (5) a capitular apparently of the end of the fourteenth century known as the *Liter Camerarii*, and containing forms of proceedings connected with the Chamberlain's Eyre; and (6) a record of certain statutes passed by the Court of Four Burghs held at Stirling in 1405. These, with the charters to the several burghs, the Statutes of the Scottish Parliament, and the Records of the Convention of Burghs—the regular series of which, however, commences only in 1552—are the most authentic materials of Scottish burghal history.

The constituent members of these early burghal communities—called *burgesses*—consisted of such persons as were owners of houses, or held, directly of the King, portions of land within their respective burghs, known as *burrowages*, and they were required on admission to swear fealty to him and to the bailies and community. Each burgess held his house or possession for payment annually to the Crown of five pence for each rood of the land occupied by him. When a burgess was made in respect of land unbuilt upon, but who possessed other land on which a house existed, he was entitled to a year within which to build.

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If, however, his house was destroyed by fire or war, and he had other built-on premises in the burgh, then he might leave the land, on which his house so destroyed stood, unbuilt upon till he was able to rebuild. But in every case the King's ferme or rent had to be paid.

Burgesses were of two classes, *resident* and *non-resident*—the latter being distinguished by the name of *rustic* or *churl* burgesses,¹ who however did not occupy the same position, or possess the same rights, as did resident burgesses. In Scotland, as in other parts of Europe, the rights of burgesses might be acquired by any person—even the thrall or slave of a baron or knight—by undisputed possession for a year and a day of a burrowage which he had acquired lawfully and without challenge in the presence of twelve of his neighbours. After such possession the right of a burgess to that burrowage could only be challenged by a claimant who had subsequently attained majority, or had previously been out of the kingdom. Rustic or churl burgesses were only entitled to the privileges of burgess-ship within the burgh in which each had his burrowage.

In process of time, however, the practice grew up in burghs of admitting burgesses in respect of other qualifications than the possession of heritable property—the payment of certain specified fees, and compliance with other conditions determined from time to time by individual burghs, or imposed by law. But in every case burgess-ship was, and still is—whatsoever unauthorised and illegal practice to the contrary may have crept in in certain burghs—essential to the valid admission to guilds of merchants, or to craft incorporations, which claim any right to be regarded as proper burghal institutions, or to be represented specially in the town council of the burgh in which they exist.

It would appear that in the oldest burghs in Scotland women were admissible to burgess-ship, as well as to membership of guilds, but the practice of so admitting them has long been in desuetude, if indeed the enrolment of the Baroness Burdett Coutts as an honorary burgess of Edinburgh, and H.R.H. the Duchess of Fife as an honorary burgess of Glasgow,—following upon a report as to the ancient practice, by the writer of this paper as town clerk for the time of both burghs—is not to be regarded as an exception to the otherwise universal practice of more modern times.

¹ These may correspond to the burgesses frequently alluded to in burgh records as "calsay" "(causeway) burgesses" who enjoyed only restricted rights.

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In royal burghs as originally constituted, every burghess had, as has been said, to be a proprietor of a burrowage, holding immediately of the Crown for services of burgh use and wont; and it was as commissioners of the Crown that the magistrates gave him entry and sasine which were essential to the completion of his title. This relationship between the Crown and the burghess continued even after the burgh ceased to be a royal burgh, and all burghesses held their lands as Crown vassals. But by the Conveyancing (Scotland) Act, 1874, (37 and 38 Vict. cap. 94, section 25) burgage tenure has been abolished, and all persons possessed of any estate in land held burgage are declared to have the same right and interest in such subjects as would have belonged to them under that act had the tenure been feudal. Since October, 1874, therefore, there is no distinction between feu and burgage estates in land so far as title is concerned.

When burghs were first constituted on the royal domains, the rents and other revenues exigible from them were collected and accounted for to the Treasury by the bailies of the respective burghs, who were originally royal officers charged with that function, and with the general administration of the burgh. The bailies were thus under the supervision of the Great Chamberlain, who, besides having a general control of the Treasury, exercised administrative and judicial functions in the burghs, and supervised the action of the magistrates. It would seem, however, that an appeal from his decision lay to a court composed at first of representatives of the Four Burghs already referred to, and présided over by him. This body afterwards took the form and assumed the name of the 'Convention of the Royal and Free Burghs of Scotland.'

The administration of the affairs of royal burghs in the time of David I., and for some centuries afterwards, was exercised by officers known as *prepositi* or chief men. After a time pre-eminence seems to have been conferred, in some towns, on one of the magistrates, who, retaining the title of *prepositus*, came afterwards to be known as alderman, mayor, and latterly provost, while the subordinate magistrates were known as bailies. These were elected at first by the good men of the town—the burghesses—annually at the first moot after Michaelmas, and on election swore fealty to the Sovereign and to the burghesses, engaging to keep the customs of the burgh, and to administer justice to all without fear and without favour, according to the ordinance and doom of the good men of the town. At the same

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time burgh officers, known as *sergeants*, *criers*, or *beadles*, were also elected by the burgesses, and had to swear fealty to the King, to the magistrates, and to the community. The *prepositus* of each burgh was also required, at the sight and with the counsel of the community, to choose at least five wise and discreet men to act as *liners*, who had to swear faithfully to line all lands within the burgh according to right and the old marches. The enactments as to the appointments of these officers were followed—apparently at a later date—by a law applicable to every royal burgh, requiring the chief magistrate to cause twelve of the ‘lelest burgesses and wisest of the burgh’ to be sworn, by their great oath, to keep and maintain all the laws and customs of the burgh. These twelve men or *dozen* were probably the origin of the town council of later times, and they retained the names of ‘*dusane*’ even when, in many burghs, the number of the persons so selected considerably exceeded the prescribed twelve. But at first, and for a long time, they seem to have been simply a committee of advice to the magistrates, who were the practical administrators of the affairs of each burgh.

Towards the close of the reign of Alexander II., or the early part of the reign of Alexander III., reference is made in the Laws of the Guild to what, in some cases, are old offices under new names, and in others to offices which doubtless existed at a much earlier period, but were not specifically mentioned. The same document also increased the number of the *dusane* to *twenty-four*, to be elected apparently by the burgesses, who also elected the mayor and bailies; but it provided that if any dispute arose, the election of the mayor and bailies was to be made by the oaths of twenty-four good men, possibly the members of the enlarged *dusane*, who were empowered to choose one person to rule the burgh. The guild code further ordained the community—*i.e.* the burgesses—to elect *broccarii* or brokers. This code also provided that if one guild brother offended against another for a fourth time, he was to be condemned at the will of the aldermen, the ‘*farthing man*,’ the dean of guild, and the remainder of the guild.

The titles of these officers must be noticed. The term *alderman* was originally synonymous with *Earl* in the old Saxon form of government, and the officer bearing that title exercised shrieval authority over counties. But afterwards the head officer of a guild, and still later of the ward of a county

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or burgh, came to be so distinguished. The application of the term alderman, to the chief magistrate of a Scottish burgh possibly arose, therefore, from the fact that, when the merchant guild became in effect the governing body of the burgh, the *prepositus* as the head of the governing body, received the title of *alderman*. The title *farthing man* had reference, probably, to the old division of burghs, not only in Scotland but in other countries, into *quarters*, each presided over by an officer so designated. The *farthing man* was thus an officer of a quarter, so the term was probably equivalent to bailie—each bailie having, in early times, the special charge of a quarter or district of his burgh. The *dean of guild* is still known as the head of the guild.

Still later, and towards the close of the reign of King Robert I., the document known as the '*Articuli Inquirendi in itinere Camerarii*' refers to *ale tasters*, whose duty it was to taste all ale brewed in the burgh, and to fix the price relative to the quality; to *apprisers of flesh*, who had to see that all kinds of butcher meat sold was of sound quality, and that the prices fixed by the magistrates were not exceeded; to *gaugers of cloth and wine*, who had to see that all cloth sold was of the proper quality and measure—that all wine had paid the prescribed duty to the King, and was of the proper quality and quantity, relatively to the price exacted; to *inspectors of weights and measures*, who had to see that all weights and measures were duly tested and sealed with the seal of the burgh. There was also, obviously, a system of inspection of fish and skins, to secure that the laws and ordinances in regard to these articles of consumpt were observed; and of mills, to see that the duties imposed on millers and their servants were attended to.

It seems strange that while reference is thus made in the oldest laws to the provost, magistrates, and dusane or council, and to a number of subordinate officers in burghs, no reference is made to the office of the burgh clerk or town clerk. Such an officer, however, must have existed in the earliest times, not only as the clerk of the council, but as the adviser of the magistrates in the performance of a large part both of their judicial and administrative functions. Besides, it was common for the magistrates themselves and others appearing before them to ask for and take instruments in the hands of the clerk. This implied the intervention of a notary, who, no doubt, acted also as common clerk. Town clerks, in fact, required to be notaries till

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the giving *sasine* became unnecessary. In Scotland papal and imperial notaries practised till 1469, when an act of a parliament of James III. required all notaries to be appointed by the Sovereign. For some time after the passing of this act two kinds of notaries appear to have existed, one *clerical* and the other *secular*—instruments attested by the latter bearing faith in civil matters. But, in 1551, sheriffs were required by statute to cause both kinds of notaries to be examined by the lords of session, and in 1555 notaries were prohibited from acting till admitted by these lords. This requirement was extended by statute in 1563, and the penalty of death was inflicted on those who acted as notaries without being previously authorised by special charters from the Sovereign, followed by examination and admission by the lords of session. That court has since exercised exclusive authority as regards the admission of notaries.

Another officer must also have existed from the earliest times, though reference to him does not appear for several centuries after the time of David I. This was the treasurer or financial officer of the burgh, who, doubtless, in respect of the peculiar functions he has to perform, now holds office, along with the chief magistrate, for a period of three years from the period of his appointment to that office at any annual period of election.

It has been noticed that the period for which the magistrates of royal burghs were elected, under the provisions of the old burgh laws, was one year; but it would seem that, in course of time, these provisions became inoperative, and that injurious results followed. This condition of matters was referred to in an act touching the election of aldermen, bailies, and other officers of burghs, passed in 1469, during the reign of James III. It referred to the great trouble and contention yearly arising out of the choosing of these officers, 'through multitude and clamour of common simple persons,' and enacted that neither officers nor councillors should be continued, according to the King's laws of burghs, longer than for a year; that the choosing of the new officers should be in this way, that is to say, that the old council of the town should choose the new council, in such number as accorded to the town; that the new and the old council of the year before should choose all officers pertaining to the town, such as aldermen, bailies, dean of guild, and other officers; that each craft should choose a person of the same craft to have voice in the election of officers for that time;

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and that no captain or constable of the King's castles should bear office within the town as alderman, bailie, dean of guild, treasurer, or any other office that might be chosen by the town.

This statute—which was followed in 1474 by another appointing four of the old council to be chosen annually to sit with the new council, and by a second in 1503 directing the provost and bailies of burghs to be changed yearly, and none but merchants to exercise jurisdiction within the burgh—undoubtedly effected a great change in the previous mode of electing the magistrates and councils of burghs, and facilitated the introduction and growth of a practice of admitting into town councils persons who were neither resident nor concerned in trade, and who applied the common good of these burghs to personal and other illegal uses. This practice was referred to in the reign of James V., when in 1535 an act of parliament was passed prohibiting the election to the magistracy of any save honest and substantial burgesses, merchants, and indwellers within the burgh. Notwithstanding this legislation, the uniform mode of election which it established was by no means universally adopted, and, under local influences, the constitution of burghs royal, or their *setts*, came to exhibit an endless variety in detail, although agreeing, with scarcely an exception, in their leading principle of what has been usually termed 'self-election,' to the exclusion of any near approach to popular suffrage. Into the various peculiarities of that system it would be unprofitable to enter, as the whole of it has now been completely done away with; but it may be stated that the *setts* of burghs have been the subject of much controversy and discussion in the courts of law, and that in their adjustment a sort of paramount authority was formerly assumed by the Convention of Burghs, as claiming to succeed to some of the functions of the ancient 'Court or Parliament of the Four Burghs.'

In the old burghs of Scotland, as in those of other countries of Europe, every burgess was under obligation not only to serve in the King's host for the defence of the realm, and the support of the Royal authority throughout the kingdom, but also to perform the duties of watch and ward within his own burgh. When a watch was appointed by the magistrates to be kept, a burghal officer known as the *Walkstaff* passed from door to door and summoned such of the residents as were required to watch. Every man of full age so summoned was bound, under a penalty,

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to enter upon the duty at the ringing of the curfew, provided with two weapons, and to watch closely till day dawn. The due performance of this duty was the subject of enquiry by the Lord Chamberlain at each of his ayres, and he had specially to enquire whether the duty was imposed on the rich equally with the poor. From the duty of watching and warding widows were exempted, unless they carried on the business of buying and selling, when, according to some manuscripts of the burgh laws, they were liable to perform *all* the duties of citizenship—those of watching and warding and military service being discharged by a suitable male substitute.

In the early history of burghs, the possession of simple burgess-ship seems to have placed the whole inhabitants upon an equal footing of right and privilege as well as of obligation. But, even in the time of David I., there were doubtless gradations of social position among the burgesses, determined not only by their individual ability or worth, but by the occupations they pursued. The mercantile class—which profited most from the practical monopoly of trade and commerce, foreign and domestic, which royal burghs enjoyed—seem to have organised themselves, at a very early period, into Guilds, and to have succeeded in drawing a line of separation between those burgesses who *might*, from those who *might not*, find admission into these guilds. This appears from the Burgh Laws, which excluded from such guilds listers, or dyers, fleshers, and souters or shoemakers, unless they abjured the practice of their respective trades with their own hands, or otherwise than by their servants. As the wealth and influence of the mercantile classes extended, they became more and more exclusive in their relations with the craftsmen, and, being the richest and most important section of the community, they assumed more and more a preponderating influence in the government of the town. In the reigns of Alexander II. and Alexander III., if not even earlier, the merchants in the more important burghs formed themselves into highly organised associations or guilds, and, being thus organised, the growing power of the entire communities in which they existed practically passed into their hands. This is shown, as regards the town of Berwick, in the Laws of the Guild, enacted there in or before 1249. These state that *several* guilds had been formed in the town, with the result that there was a want of unity and concord, and that the incorporation of the whole, with their respective properties, into one guild, was intended to remedy this state of

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matters. The then mayor and other good men of the town accordingly enacted a constitution for all the separate and independent guilds, which, 'if incorporated into one under one head, could in all good deeds be bound together in a fellowship sicker.' The condition described in this document doubtless applied to other Scottish towns. But, be that as it may, it is certain that the Berwick guild statutes were soon generally adopted and quoted as authoritative among them. The structure of this code is peculiar, for not only did it contain minute provisions as to the constitution of the guild, and regulate its action and that of its members in a variety of particulars, but it legislated as to matters affecting the entire burghal community, and was practically a municipal and police code, to be enforced by the governing body of the burgh. The only explanation of this fact seems to be that the guild, which in each burgh included a large number of the most influential burgesses, had by this time assumed the functions of the governing body.

But while the merchant class were thus assuming largely, if not wholly, the functions of burghal government, the craftsmen class were also growing in wealth, intelligence, and influence, and were preparing to assert their claims to participate in the administration of the affairs of the town. Forming themselves into separate crafts, and obtaining, chiefly from the magistrates, what was known as '*Seals of Cause*' officially sanctioning their special organisations, they elected their presidents or deacons and other officers, and prescribed the conditions of admission to their crafts—conditions which excluded from their organisations and their benefits all who were not formally admitted to membership,—and subjected every member to strict obligations as to the manner in which each craft was to be conducted. Thus organised, the body of craftsmen in each burgh became a power, and ere long asserted their claims to share with the mercantile guild in the administration of the town's affairs. This action aroused the jealousy of the guilds, and for a lengthened period disputes between the merchants and craftsmen were incessant. Complaints arose as to the quality of the work produced by the several crafts, as to the prices charged by them, and as to their riotous habits, and these complaints resulted in numerous statutes to secure efficient manufacture and reasonable prices, and to restrain their turbulence. Much of the municipal records of the early burghs in the fifteenth and subsequent centuries is occupied with details of the struggles

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of the various orders of crafts to obtain a larger share of burghal administration than they then possessed, and ultimately their struggles succeeded in securing for them what they had so long contended for. In many of the burghs, both the merchant class and the craftsmen had a recognised representation in the town council. But such special representation was abolished by the Burgh Reform Act in all burghs save Edinburgh, Glasgow, Aberdeen, Dundee, and Perth. In the two first of these the dean of guild and deacon convener, and in the others the dean of guild only, were continued as constituent members of the town council.

The early royal burghs bore an important share of all public burdens, and contributed in certain fixed proportions, with the ecclesiastical and secular lords, towards all national aids and contributions. As such contributors they appear to have been first called to national conventions held for the purpose of imposing taxation, but afterwards came to be recognised as one of the Estates of the Realm. In respect of their liability thus to contribute to the national revenue, and to fulfil the other obligations incumbent on them as burghs, they got from the Crown special privileges, and among these new, or confirmations of old, exclusive privileges of trade and merchandise, foreign and domestic. These privileges were often expressed in the royal charters to individual burghs, but a general Charter of Confirmation of the privileges of burghs royal was granted by David II. (1362-63) and authoritatively summarised these privileges. By that charter he granted to his burgesses free power and faculty to buy and sell within the liberty of their own burghs, but forbade them to buy or sell within the bounds of the liberty of any other burgh unless specially licensed. He also prohibited bishops, and other ecclesiastical persons from buying or selling wool, skins, hides, or other merchandise, under whatsoever colour, but only from or to merchants of the burgh within whose liberty they remained. Such merchants were moreover commanded to present their merchandise at the market and cross of burghs that merchants might buy, and that the King's custom might be paid. The charter further forbade 'extranear merchants,' coming with ships and merchandise, from selling any kind of merchandise save to merchants of free burghs, or from buying any kind of merchandise save from merchants of the King's burghs, under pain of the royal indignation. The valuable rights thus summarised, some of which seem to have existed

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in the time of David I., were carefully guarded by successive acts of parliament, and jealously asserted by the burghs themselves individually and collectively. The assertion and vindication of those privileges, and their special interests as burghs in relation to all matters of internal administration, formed a large proportion of the work of the Convention of Burghs, and much of the legislation by parliament in regard to these matters was simply the reflex of the action of the Convention, which from time to time submitted to the Estates of the Realm the results of their deliberations, and succeeded in getting them embodied in acts of parliament. It was, indeed, in consideration of the trading monopolies enjoyed by royal burghs that they had to bear so large a proportion of national taxation in early times, and this liability was subsequently pleaded as a reason why burghs of regality and barony, and other unfree towns which were exempted from it, should be excluded from trade and merchandise. The struggles on the part of the burghal convention to maintain the rights of the royal burghs in this respect were prolonged and vigorous, and they did succeed for a time in compelling the burghs of barony and regality and other unfree towns which had sprung into existence to contribute towards the relief from the burden of taxation which rested upon them. But the maintenance of exclusive privileges of trade and merchandise was impossible, and the only well-founded ground of complaint which royal and free burghs have in the present day is that, while their exclusive privileges have been swept away, they are still charged with the annual payment to the State of taxation imposed on them in respect of these privileges.

JAMES D. MARWICK.

(To be concluded in the next number.)

The Bannatyne Manuscript

A Sixteenth Century Poetical Miscellany¹

CONSIDERING its importance as a foundation document of Scottish literature, it is remarkable that the society of persons who used the surname of George Bannatyne as a rallying word to mark their attachment to that literature,² should have failed to publish the splendid manuscript of their patron, his sole monumental work. When the Bannatyne Club was instituted, nothing or almost nothing was known regarding him; the Manuscript, the thing peculiarly his, was the totem. So much is clear from more than one of the Club albums. 'Of his personal history,' says one writer,³ 'no particulars have been ascertained, and it is to be feared that in this respect our curiosity is never likely to be gratified. . . . Our curiosity to know something of so early an enthusiast for the poetry of his country (as the late Mr. Weber in a note on the MS. observes),⁴ can unfortunately not be gratified, as we are in possession of no facts respecting his quality and occupation whatever.' The chance discovery among the papers of Sir James Foulis of Woodhall of a *Memoriall Buik* in George Bannatyne's autograph partially cleared up the lineage and led to the preparation of the well-known *Memoir* by Sir Walter Scott, published in 1829 as one of the Club volumes. But having performed that pious duty to the memory of their 'honoured patron,' the members of the Bannatyne Club did nothing more.

¹ *The Bannatyne Manuscript*: compiled by George Bannatyne, 1568: printed for the Hunterian Club, 1873-1902.

² 'The Members have adopted for the designation of the Club the name of the venerable and industrious collector to whose labour Posterity is obliged for the earliest and most important record of our National Poetry.' *Extract from the Minutes of the Bannatyne Club, Feb. 15th, 1823.*

³ *The Poems of George Bannatyne*, MDLXVIII. G. B., Edinburgh, MDCCCXXIV: Album I. and II. Published 1824 and 1825.

⁴ *British Bibliographer*, vol. iv. p. 183.

Happily what was omitted to be done seventy years ago has now been accomplished by the Glasgow Hunterian Club, and the richest treasury of Scottish vernacular poetry is at last accessible for systematic and critical study.

The history of the Manuscript may be briefly told. Written as a labour of love in the latter half of the sixteenth century by George Bannatyne (born 1545, died 1608), son of James Bannatyne of Newtyle Forfarshire, a legal practitioner in Edinburgh, it was completed during a period of enforced leisure while an outbreak of the plague was raging in Scotland in the year 1568. So much is explicitly stated in the metrical colophon on folio 375 :

'Heir endis this buik writtin in tyme of pest
Quhen we fra labour was compeld to rest
In to the thre last monethis of this yeir.
Frome oure Redimaris birth, to knaw it heir,
Ane thousand is, fyve hundreth, threscoir, awcht,
Of this purpoiss namair it neiddis be tawcht ;
Swa till conclude, God grant us all gude end
And eftir deth eternall lyfe us send. Finis 1568.'

'The volume,' says Scott, 'written in a very close hand and containing near eight hundred pages, appears to have occupied the transcriber only three months, an assertion which we should have scrupled to receive upon any other authority than his own.' The inference from the colophon, accepted time after time by later writers,¹ is entirely mistaken. It is not warranted by the words 'writtin in tyme of pest, etc.,' for these may be interpreted as a general statement meaning no more than that a considerable portion of the miscellany was written during a period of enforced seclusion, the compilation being then brought to conclusion. The great length of the Manuscript of itself suggests another than a literal interpretation of the words. As a mere *tour de force* an expert penman would have hard work to transcribe it in three months, but Bannatyne himself in his prefatory verses informs us that his task was much more than mere copying. He had to work from manuscripts 'auld and mankit' which he had to learn to decipher, as the lines *The Wryttar to the Reidaris*, show :

'Ye reverend redaris thir workis revolving richt,
Gif ye get crymis, correct thame to your micht,
And curse na clerk that cunningly thame wrait,
But blame me baldly brocht this buik till licht,

¹ Repeated in the D.N.B. *voce*, George Bannatyne.

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In tenderest tyme, quhen knowlege was nocht bricht,
 Bot lait began to lerne and till translait
 My copeis awld, mankit and mutilait :
 Quhais trewth, as standis, yit haif I, sympill wicht,
 Tryd furth, thairfoir excuse sumpairt my estait.'

Further, it is evident that when he began to transcribe he had no fixed plan as regards classification and arrangement of the poems; for, when he had filled some 54 pages, he appears to have stopped, laid them aside, and commenced anew—proceeding on a regular plan. The division into 'fyve pairtis,' found in the Manuscript proper was an afterthought, and the earlier manuscript (usually cited as the Duplicate MS.), although now bound with the later, can never have been intended to form any part of his completed work. The Manuscript itself, indeed, confutes the conjecture about the transcription of the entire Miscellany in the three closing months of 1568, for, on page 290, when he had copied about two-thirds of the MS. he added the words '*Heir endis the hail four pairtis of this ballat book anno 1565,*' and afterwards deleted them. Owing to the fading of the erasing ink it is now possible to read the original note without difficulty.

The date of Bannatyne's birth—22nd December, 1545—is ascertained from an entry in his *Memoriall Buik*, and so we know for certain that at the end of 1568 he was only in his twenty-third year. Except the fact that he compiled the Miscellany and received certain small gifts of heritable estate from his father in 1572 and subsequent years, nothing whatever regarding him is known between the year of his birth and 1587 when he was admitted at the age of 42 to the privilege of a merchant and gild-brother in the city of Edinburgh. But, judging from the caligraphy of the Manuscript, it seems probable that some part of his youth was spent in his father's chambers as a law apprentice or clerk:

'A clerk foredoom'd his father's soul to cross
 Who pens a stanza, when he should engross.'

In general character the penmanship resembles the legal hand of the time. Be that as it may, we know that between 1565 and 1568 he was engaged in leisure hours transcribing vernacular poetry and sometimes also in composing verses, some eight pieces of his own being judged good enough to have a place in the *magnum opus*.

The Manuscript passed at his death c. 1608 to his only

child Janet, who married George Foulis of Woodhall and Ravelston, with whose descendants it remained until 1712, when William Foulis of Woodhall (great-grandson of George Bannatyne) gifted it to the Hon. William Carmichael of Skirling, whose son John, Earl of Hyndford, presented it in 1772 to the Faculty of Advocates, in whose library it is now one of the chief treasures. It is elegantly bound in two folio volumes, the original pages being inlaid and mounted so as to present a wide margin.

The *Manuscript*, properly so called, follows the *Duplicate MS.* It begins with an unnumbered leaf on which are written two prefatory verses entitled *The Wryttar to the Reidaris*, one of which I have quoted, the reverse of the leaf having a stanza of seven lines entitled *God*, serving as a kind of motto to the First Part. At the top of folio 1 to the left is the title, *Ane most godlie mirrie and lustie rapsodie maide be sundrie learned Scots poets and written be George Bannatyne in the tyme of his youth*, not, however, in Bannatyne's handwriting. It is supposed by Dr. Laing to have been added by Bishop Percy, who had the Manuscript on loan soon after it came into the Advocates' Library. The contents extend to 740 pages, exclusive of an incomplete *Table of the Haill Buik* containing 286 titles and first lines. On some blank leaves and spaces several pieces, written by a later hand, have been added.¹

It is not unlikely that Bannatyne prepared his Miscellany with a view to publication. If we are to hold that he did, I should incline to believe that its great bulk hindered the accomplishment of his purpose, not, as Scott and Laing suggest, 'the inauspiciousness of the time.' It is an error to speak of the second half of the sixteenth century in Scotland as a period wholly given over to theological disputation and utterly indifferent to the early vernacular literature. Writers who assert that secular poetry was then 'smothered and banned' should explain if they can how it happens that our first editions of John Barbour, Blynd Harry, Robert Henryson, Gawain Douglas, David Lindsay, and John Rolland, all issued from the native press in that very period. In the fifteenth century—the golden age of Scottish poetry—the works of the makers, encloistered, and passing by transcription among a few clerics and nobles must have been quite unknown to the common people. They only became national literature in the

¹ For a description of the MS. vide the *Memoir of George Bannatyne*.

proper sense of the term, when the Reformation was an accomplished fact. No doubt, after all the exertions of the press, a considerable *corpus poeticum* remained, which most likely would have perished but for the praiseworthy efforts of men like Bannatyne and Sir Richard Maitland. But surely the mere fact that it was not printed between 1560 and 1600 ought not to infer blame either to the publishers or the people of that age. The Bannatyne MS. after three hundred and fifty years has only been completely printed by special subscription. The Maitland Folio, less fortunate, still awaits a publisher.

In studying the contents of the Manuscript there are two questions, more or less related, that deserve careful examination—(1) the Value of the Text, and (2) the Sources used by Bannatyne—the former much the less difficult to determine. On the first, after repeated perusal of the poems, my opinion is that the text is far from a good one. Plainly it exhibits at many points debased forms of Scottish vernacular current in Bannatyne's day when the language was in a state of transition, due to political influences, and mainly to the development of the national life on English lines. For 'knappand Suddrone' and forgetting 'thair auld plane Scottis quhilk thair muderis lerit thame,' the Reformers were frequently twitted by the adherents of the old Catholic party, and George Bannatyne certainly was infected by the prevailing fashion. The rapidity with which the assimilation in the literary language of Scotland to that of England proceeded after 1560 is evidenced by an observation of James VI. when he revisited Scotland in 1617 after an absence of fourteen years. In a speech to the Scottish Parliament he is reported to have said that 'if the Scotch nation would be as docible to learn the goodness of the English as they are teachable to limp after their ill he might with facility prevail in his desire' to reduce the 'barbarity' of his ancient kingdom to the 'sweet civility' of England—'for they had learned of the English to drink healths, wear coaches and gay clothes, to take tobacco, and to speak neither Scotch nor English.' Bannatyne's diction although not open to the full force of the royal criticism is nevertheless pretty far removed from his fifteenth century originals.

It is impossible within the limits of this paper to enter into detail, but I may point out a few things that will serve to illustrate what is implied by my objection. Let us look at

some of the poems in groups. There are eight attributed to Chaucer,—seven of them mistakenly, but that is of no consequence for our present purpose. Now, if these be compared with English versions it will be seen at once that considerable liberty has been taken in transcribing. For example *The Song of Troilus* is translated into Northern English and spelt according to the standard of 1568. Bannatyne must have considered Chaucer's metre defective, for he altered lines in his original in order, as he thought, to make them scan—thus :

'And if that at myn owné lust I brenne.'
 'And gif that at myne awin lust I brenne.'
 'O quiké deth! O sweté harm so queynte.'
 'O quyck deth! O sweit harm so queynt.'
 'But if that I consenté that it be.'
 'Bot gif that I consent that it so be.'

No one of course would ever dream of editing Chaucer from this Manuscript. But it is different in the case of Dunbar and Henryson's poems for which Bannatyne has been followed by many editors, when a better text was available.

The Scottish Text Society edition of Dunbar is an example. I entirely concur with Mr. G. P. M'Neill—whose *Note on the Versification and Metres of Dunbar* occurs curiously enough in an appendix to that edition—in holding that 'The instances are few in which the Maitland MS. does not give a better reading, metrically considered, than the Bannatyne' making it 'matter of regret that this MS. (the Maitland) was not made the basis of the text.' The same may be affirmed of the Henryson poems, and with even greater confidence, the data available for test purposes being so much more ample. Compare *The Prais of Aige* in (1) the Makculloch MS., (2) the *editio princeps* of Chepman and Myllar of 1508, and (3) the Bannatyne MS. Here is the first stanza from the Makculloch MS., a version about 60 years earlier than the Bannatyne:

'In tyl ane garth, under ane reid roseir
 Ane auld Man and decrepit, hard I syng;
 Gay wes the noit, sweit was the voce and cleyr,
 It wes grit joy to heir of sic ane thyng.
 And to my doume, he said, in his dyting
 For to be young I wald nocht, for my wyss
 Of all this world, to mak me lord and king:
 The moyr of aige the nerar hevynnis bliss.'

Chepman and Myllar's text varies in spelling, but Bannatyne alters the fifth line '*And to my doume*' to '*And as me thocht*.' We

need not suppose this to be merely a variant which Bannatyne found in another MS., for in the *Duplicate MS.* he has the reading of the Makculloch. It is simply one among hundreds of instances of tampering with his originals. In re-copying the *Duplicate MS.* he frequently alters words and sometimes even transposes whole lines, e.g.:

'Bot they sic synnis sair for saik.'
 'Except sic synnis thay sair forsaiik.'
 'The world the flesche the feind also.'
 'The divill the world the flesche also.'
 'And thow be juge disluge us of this steid.'
 'As thou art juge deluge us of this dreid.'
 'That all this world dois in thy hand depend.'
 'On quhome this world alhail now dois depend.'

Does it not seem as if Bannatyne scribe was frequently thrall to Bannatyne versifier? For another reason, we find him at times expurgating the text, e.g. in the last stanza of *The Want of Wyse Men*,

'O Lord of Lordis, God and Gouvernour
 Makor and movar, bayth of mare and lesse
 Quhais power, wisdom, gudnes and honoure
 Is infynite now, sal be, and evir wes
 As thy Evangell planely dois express.'

where Chepman and Myllar's edition of 1508 preserves without doubt the original reading of the fifth line:

'As in the principall mencioune of the messe.'

It would be easy to show that similar liberties were taken in transcribing the Fables, but space will not permit.

Come now to the second question, What were the sources used by Bannatyne in compiling his Miscellany? He has himself partly told us, and an unknown person at a later time has tried to supplement his information. In the MS. there are in all 334 poems, 139 of which are attributed, 195 left uncertain.

It will, I think, be conceded that Bannatyne's ascriptions have a *prima facie* value greater than those made at a later time by the unknown scribe. Writing in 1568 he was in a favourable position for ascribing the poems. Not unlikely some of his manuscripts helped him to do so. Although he speaks of them as 'auld and mankit' they cannot really have been old, for the poetry—with the exception of pieces by Chaucer, Hoccleve, and Lydgate—all belongs to the late fifteenth century, much of it to the sixteenth. In other words, none of it was

written more than a hundred years, most of it less than fifty before his own day. An examination of the MS. seems to indicate that the five parts or divisions were transcribed *pari passu*. For example, with a MS. collection of Dunbar before him I think he selected poems suitable for the First Part, and having copied them, proceeded to select material from the same source for the other four parts. I feel certain that his MSS. of Henryson and Dunbar particularly, were more extensive than a cursory perusal of the Miscellany would lead one to suppose; and it will not be uninteresting to note with some care his attributions to these two authors, and the relation of certain groups of poems to each other in the different divisions of the MS.

Let us begin with Part First, which extends to folio 49, where is a colophon, '*Heir endis the First Part of this Buke containand Ballatis of Theologie.*' There are in all 40 poems in this division, twelve of them specifically apportioned by Bannatyne among nine authors. Two other ascriptions, one to Henryson and another to Clerk, are in a handwriting not his. Twenty-eight poems were thus left by him of uncertain authorship. Of the twelve ascribed, three are by Dunbar, two by John Bellenden (called Bellentyne in the MS.), one by Gawain Douglas, one by Sir Richard Maitland, two by Alexander Scott, one by Stewart, one by Robert Norval, and one by Lydgate.

The first nine poems do not call for more than passing mention. Nos. I. and II. are the *Benner of Pietie* and a *Proheme*, the latter printed in the well-known translation of Boyes' History, published in 1536, both works of John Bellenden, Canon of Moray. Number III. is Gawain Douglas' *Prologue* to the Tenth Book of his translation of the *Aeneid*, evidently transcribed, not from the black letter edition of 1562 as Dr. Small suggests, but from a MS. nearly related to the Ruthven MS. now in Edinburgh University. *The Ballat of the Creation* by Sir Richard Maitland comes next. The fifth piece is a rendering of the 83rd Psalm, a version apparently intermediate between the *Gude and Godlie Ballatis* and John King's *Psalter*. Numbers VI. and VII. I have not been able to identify. Numbers VIII. and IX. are two psalm renderings by Alexander Scott. Of these nine poems, only V., VI., and VII. are anonymous.

When we reach No. X. the cruces commence. That poem is attributed to Dunbar, and begins:

'To Thé O mercifull Saviour, Jesus,'

a poem universally accepted as his. At this point Bannatyne introduces a piece beginning :

‘O most heich and eternall king,’

having as a refrain in each of its eleven stanzas :

‘He that wold leif must lerne to dy.’

It belongs evidently to the time of the Reformation, judging from certain lines strongly reminiscent of the Scottish Psalter as well as from its theology. It is given to one ‘Ro. Norval,’ an unknown versifier, the only person of that name and time, so far as I have been able to discover, being a Presbyterian clergyman of Stirling mentioned by Calderwood. The surname never was a common one in Scotland.

From Nos. xii. to xxxii. I believe we have a collection of devotional poems by William Dunbar, only two of which, Nos. xxi. and xxxii., are attributed to that poet by Bannatyne.

At the outset, let it be noted that the best editors of Dunbar have adjudged three of the group to be works of that poet, namely, No. xx. :

‘Now gladdith every liffis creature,’

No. xxii. :

‘Jerusalem rejois for joy,’

and No. xxvi. :

‘The Sterre is rissin of our redemption.’

That, of course, goes so far to support my opinion. It is independent testimony. True it is, as Bentley long ago remarked, that ‘censures made from style and language are commonly nice and uncertain, and depend upon slender notices’: all the same, diction, rime, and versification are factors that must be reckoned with. The editors having style only as a criterion attributed the three poems to Dunbar, and I am free to confess that it was the general style and tone of these and others of the group that first arrested attention and caused me to look more closely at Bannatyne’s distribution of poems in the MS. As the result of an examination I was led to the conclusion that Dunbar is the author of the twenty-one pieces. They bear the stamp of his mind, and have the sonorous and stately rhythm of other poems known to be his. Although hymn translations never could be made the channel for the humour in which he excels, still there are phrases and epithets that recall the

vigorous touch and daring of the master. If he did not write them it is far from easy to guess who did.

What has not been observed, so far as I am aware, is that they form collectively a little hymnary made up of four branches. Eight of the poems (Nos. xii. to xix.) are addressed to Christ and the Virgin; seven (Nos. xx. to xxvi.) are hymns of the Nativity; three (Nos. xxvii. to xxix.) on the Passion; three (Nos. xxx. to xxxii.) on the Resurrection. They are linked together in the MS. by Bannatyne, who, after No. xx., adds the words: '*Followis Ballatis of the Nativitie of Chryste*,' and at the end of No. xxvi. closes the section, '*Finis Nativitatis Dei: sequuntur de ejus Passione quaedam cantilene*.' So again we find the words, '*Finis de Passione et sequitur de Resurrectione*,' between Nos. xxix. and xxx., and at the end of xxxii. the colophon, '*Finis quod Dunbar*, pointing to the whole group as his.' No. xii. (*Christe qui lux es et dies*) is a translation of a seventh century Latin hymn, with a doxology of later date. In *The Gude and Godlie Ballatis* is a translation of the same hymn, the author of which, says the late Professor Mitchell, the editor of the S.T. Society edition, 'no doubt had before him the Latin original as well as one of the German translations, but he has not given the unmistakable proof that Coverdale has given that he had both, by translating as the German versions do the Latin word *hostis* in the third verse as *feynde*, not *enemies* as the Scottish poet does.' One may say, without fear of contradiction, that the version of the *Gude and Godlie Ballatis* is not derived from any German translation, and is only related in the second degree to the Latin original. It follows closely the Scottish translation.¹ The entire Hymnary is undoubtedly pre-Reformation. Every one of the hymns is either based on a Latin original or on one of the Church lessons read on Festival Days.

Some further light on the twenty-one hymns that I venture to call Dunbar's is obtained by examining the seven poems which immediately follow in the MS. (Nos. xxxiii. to xxxix). There cannot be any doubt that they are the work of a single pen, although No. xxxiii. alone is ascribed by Bannatyne to a poet called Stewart. Far inferior though they be they are hymns of precisely the same class and manifestly imitations of those which precede. The author is named elsewhere in the

¹ Influence of Dunbar, I think, is traceable in more than one place of the *Gude and Godlie Ballatis* especially in the third or last part which is of a miscellaneous character.

MS. William Stewart. He was a determinant of St. Andrew's University in 1499 and magister in 1501. He appears to have entered the royal household, and is usually identified as Rector of Quodquan Parish, now annexed to Liberton Parish, in the Deanery of Lanark. He is best known as the author of the metrical Chronicle of Scotland supposed to have been written *c.* 1535 by command of Margaret Tudor, widow of James IV., for the instruction of her son James V. Lyndsay's mention of him in 1530, before he had begun his chronicle, shows that he had written much before that date. More fortunate than many of his contemporaries Stewart has had a considerable number of his verses preserved by Bannatyne and Maitland and from these one sees that he was a servile imitator of Dunbar, lacking his genius. I shall have occasion again to refer to him, but meantime let me direct attention to his devotional poems. I take by preference Number xxxiii. for the reason that it is ascribed to Stewart in the MS. Comparison with Number xxix., one of the hymns on the Passion, exhibits striking parallels. The theme in both cases is the trial of Jesus before Herod and Pilate.

DUNBAR.

xxix.

Bundin as a theif, so thow harled &
led
Blaknit and forbled
Out throw the harnis pykis of thornis
applyit
Strang nails lang & greit
Thi face ourspittit all,
Sair scourgis bla and wan.
Thi vainis bursin, thi sennonis schorn
than.

xxii.

Done is a battell on the dragon blak.

STEWART.

xxxiii.

*Harlit as ane theif that does
them nocht ganestand.
forbled and blaknit
paired my harnis swa
ane crewal crown of thorn.
with nalis long and greit.
My face ourspittit bludy,
wan and blak
That all my vainis and
sennonis war devorse.*

*Upone the dragone a battell
for to done.*

An examination of these parallels should be accompanied by a reading of the complete poems, from which they are taken, as well as of Dunbar's *Merle and Nightingale*; but the examples given may indicate the assimilative method followed by Stewart. As I have already said the Dunbar group is unquestionably pre-Reformation. The Makculloch MS.¹ pre-

¹ The MS. (No. 149 in the Laing Coll. Edin. Univ.) consists of notes in Latin of lectures in Philosophy made by Magnus Makculloch of Tain when

serves No. XII. (*Christe qui lux es et dies*), which is thus older than 1509, and the thing to be observed is that the Stewart poems enable us to place the earlier group in the very period when Dunbar flourished.

But we must turn now to the next division which has for title—*Followis the Secound Pairt of this Buk, conteneand verry singular Ballatis, full of wisdome and moralitie, etc.* It contains in all seventy poems, twenty-six being ascribed, forty-four not. It is prefaced by a Latin line—*Tu vivendo bonos scribendo sequare peritos*, and a stanza of seven lines entitled *Wit*, probably Bannatyne's own composition both serving as motto to the book.

The second part, in my opinion, is very largely made up of poems of Henryson, Dunbar, and Stewart. Of the first eleven poems (XLII. to LII.) eight are ascribed by Bannatyne, —one to Gawain Douglas, one to Chaucer (Lydgate's by right), one to Henryson, two to Dunbar, one to Lychton Monicus, one to Walter Broun, and one to Kennedy. Of the three left uncertain No. XLIX. was long ago claimed for Dunbar by Pinkerton and Laing and is printed in the Scottish Text Edition as 'probably his.' Its ascription as genuine seems to me to involve the bestowal of Nos. XLII., LI., and LI. to the same author. I have doubts about any of them being Dunbar's. No. LI. is given to Walter Broun, an author unknown except in this MS. It certainly seems to me suspect. In Bannatyne's transcript of the *Lament for the Makaris* there is mention of a Walter Broun, but I have always regarded the stanza in which the name occurs as an instance of Bannatyne's tampering with the original. Who would believe Dunbar capable of writing:

'In Dunfermline he hes tane Broun,
With gud Maister Robert Henrysoun,
Schir Johne the Ross imbraist hes hie
Timor mortis conturbat me.'

In the transcript in the Maitland MS., which was evidently made from the *editio princeps* of Chepman and Myllar of 1508, the stanza reads:

'In Dunfermline he hes doun roun
Gud Maistir Robert Henryson';

a student at Louvain in 1477. He became a priest of the diocese of Ross and was much employed (1480-90) as a scribe. His note-book passed to John Purdie, a Chaplain of St. Giles, Edinburgh, who transcribed on blank leaves the Henryson and other vernacular pieces.

the words *doun roun* being glossed by editors as 'whispered.' The meaning of *roun* is not doubtful, it is a common word, but *doun roun* is nonsensical. The reading of the *editio princeps*, I have little doubt, was unintelligible to Bannatyne, and instead of copying his original he, as usual, boldly amended it by substituting *tane* for *doun* and adding the letter *B* before *roun*, in that way obtaining the surname *Broun*. Now I submit that 'doun roun' is one of the 'crymis' to be charged against the printers Chepman and Myllar, and not a thing that will justify us 'cursing the clerk that cunningly wrait' the *Lament*. Simply a thorn or its equivalent 'th' has dropped out in the workshop, the true reading, I am confident, being:

'In Dunfermline he hes dounthroun
Gud Maistir Robert Henryson.'

If, therefore, it should come to be admitted that the four poems most probably are Dunbar's, the attribution to Walter Broun of No. LI. need not greatly hinder our assent.

A group of six pieces, Nos. LIII. to LVIII. next deserves attention. Three of them (LIV., LV., and LVI.) are ascribed to Henryson (spelt Henderson), No. LVII. being assigned to a makar Patrick Johnstone. All six, I believe, to be genuine specimens of Henryson's verse. If we are again to challenge Bannatyne's ascription of No. LVII. (*The Thre Deid Powis*) to Patrick Johnstone it may be on good cause shown. The poem is ascribed to Henryson in the Maitland MS., and in a case of doubt we ought certainly to incline to the opinion of Sir Richard Maitland, Senator of the College of Justice, Statesman, and Poet, rather than to Bannatyne, a youth editing 'in tenderest tyme when his knowledge was nocht brycht,' who had but lately 'begun to lere and translait his copies.' Dr. Laing printed the poem as Henryson's. No. LVIII., entitled *Good Counsel*, by Professor Skeat, because it is an obvious imitation of Chaucer's *Ballad of Good Counsel*, is like its model in three seven line stanzas, the last line in each recurring without alteration. It is found in a fifteenth century Scottish MS. now in Cambridge University Library (K.K. 1.5) so that there can be no doubt about the ballad being as early as Henryson's time. As Chaucer's most apt pupil no one, it seems to me, has so good a title to it as he. In No. LIII., which in the MS. immediately precedes

the well-known *Ressoning betwix Aige and Youth*, one catches the very tone of the same sweet singer.

Following this group come twelve pieces (LIX. to LXX.) all of them, I believe, by Dunbar. Nos. LIX. and LX. are ascribed to him. Nos. LXI. and LXII. (*Discretion of Asking* and *Discretion of Giving*), both anonymous, are universally acknowledged to be his. They are corollaries of *Discretion in Taking* (No. LXIII.), all three treated as one poem in the Maitland MS. and there assigned to Dunbar. No. LXIV. is also ascribed in the Bannatyne MS. to Dunbar; LXV., LXVI., and LXVII. are left uncertain. The Maitland MS., however, comes to our aid again for No. LXVI. (*Freedom, Honour, and Nobilnes*); and LXV. and LXVII., from internal evidence appear also to be his. There is this further to be said, that No. LXV. is closely imitated by Sir Richard Maitland, who, like William Stewart took Dunbar as his favourite model. No. LXVIII. is in the MS. ascribed to Dunbar, LXIX. and LXX. being anonymous. No. LXIX. is in the racy humorous vein of Dunbar, and good enough to be his; No. LXX. is found in the Maitland MS. unasccribed, but standing next to a poem by Dunbar. It also is closely imitated in another of Maitland's poems.

Thus far I have taken the group *seriatim* the better to show how frequently poems ascribed by Bannatyne to Dunbar are found alternating with poems, anonymous in the MS., which are now received as canonical on the authority of the Maitland MS. Bannatyne's method of ascription may, of course, be explained in different ways. In copying a series of poems he may have considered it sufficiently obvious that all were by the same author, and so have deemed it sufficient to add his colophon once for all. Cases in point are the Hymnary in Part First, and the three moral pieces, *Discretion in Asking, Taking, and Giving*. Again, it is conceivable that he may sometimes have added a *quod Dunbar*, or *quod Henryson*, as the case may be, when he had ended a day's work or on leaving one division to begin copying in another. Or, he may carelessly have omitted to do so, taking up the task where he had left it without noticing that some poems had been left uncertain. And not unlikely, in some cases, his original may not have afforded him help. Howsoever we are to explain it, the fact remains that in the MS. anonymous poems, from internal evidence and local point of contact,

frequently appear to be of common authorship with other poems specifically attributed.

No. LXXI. is a poem by Henryson, No. LXXII. one by Dunbar, but from LXXIII. to XCIII. we meet with another group, all anonymous, one of which (*The Want of Wyse Men*) beginning :

‘Me ferlyis of this grit confusioun,’

has on the authority of Dr. Laing been assigned to Henryson, as it seems to me on very doubtful grounds. ‘It is,’ says Laing, ‘one of the pieces printed by Chepman and Myllar in 1508 and is subjoined to Henryson’s *Orpheus and Eurydice*,’ as if by the same author. ‘It evidently belongs to the reign of James III., when the unsettled state of public affairs might give too much truth to the burden of each verse.’ The theme might equally apply to the days of James IV., or James V., but the important thing to observe is that the poem itself lacks altogether the music of Henryson’s verse. None of the twenty-one pieces, unless I am greatly mistaken, is by Henryson or Dunbar, but I cannot at present stop to discuss that question. It would require a paper all to itself. I pass over also the Stewart poems which conclude the second part, and proceed at once to the third division which begins at folio 97 with the title *Contenand Ballatis miry and othir solatius consaitis set forth be divers ancient poyettis*. On the title page in a later hand there is a copy of Withers’ charming little song, *Shall I wasting in despair*, an excellent Scottish metaphor.

This division contains in all 90 poems, 38 ascribed, 52 anonymous. It opens with two poems by Dunbar, Nos. CXI. and CXII., the third piece CXIII. being *Christ’s Kirk on the Green*. The fourth, CXIV., is a humorous poem by Lichtoun, an author who has nearly the same position in this section that he has in the preceding. No. CXV. is ascribed to Dunbar. No. CXVI. is attributed to Clerk, in a hand not Bannatyne’s, but the Maitland MS. again resolves the doubt, and properly assigns it to its rightful author. A poem well known as *Rowll’s Cursing* stands next.

At this point another group begins (CXVIII. to CXXXIII.) sixteen poems in all, eight of them ascribed to Dunbar, the remainder anonymous. Five of the eight left uncertain, I am confident are Dunbar’s. The Maitland MS. designates one of

them (No. cxxi.) as his. Two others have a signature—the one (No. cxviii.) *quod Allan Matsonis Subdartis*, the other (No. cxxiii.) *quod John Blyth*. Matson and Blyth have been included in the *Table of Authors* both in Dr. Laing's catalogue of the contents of the MS. and in the Hunterian Club reprint—the fact being that *Allan Matsonis Subdartis* is equivalent to *Allan a Maui's Soldiers*, *John Blyth* merely another kindred pseudonym. The poems are excellent drinking songs, prototypes of Burns' *John Barleycorn*. Both are inserted between acknowledged Dunbar compositions. No. cxxx. is the well-known *Interlude of the Droichis Part of the Play*, No. cxxxii. the burlesque *Wyf of Auchtyrmuchty*. To these poems no one has anything like so good a title as Dunbar. Mr. T. F. Henderson, without noticing their position in the MS., expresses an opinion that Dunbar 'may well have been the author of both *Allan Matsonis Subdartis* and another similar piece over the signature *Allan Subdart—Quha hes gud malt and makes ill drink*' (No. clxv.). No. cxxv. *The Laying of Lord Fergus' Gaist* which occurs between two of Dunbar's acknowledged poems might seem at first sight to be also one of his. The diction and rime, however, when carefully examined led me to doubt the authorship, and I have since convinced myself that it is by another hand, although evidently by a clever disciple. I shall return to it immediately, after noticing very briefly some of the remaining poems that make up this third Book. After transcribing the group with which we have been dealing Bannatyne proceeded to insert a collection of poems by two sixteenth century authors, Scott and Semple (cxxxiv.-cxl.), and came back to Dunbar. From cxli. to cl. we have, in my judgment, other ten genuine poems of his, seven of them ascribed to him by Bannatyne. The three pieces which I claim for him are No. cxli. (*Thus I Propone in My Carping*) which is found in the Maitland MS. between two Dunbar poems; cxlviii. (*The Gyre Carline*) a burlesque piece beginning—*In Tiberius tyme the trew Imperiour*, and cl. (*The Wowing of Jok and Jenny*), the last mentioned having a signature *quod Clerk* which has been deleted. At this point Bannatyne returns again to sixteenth century writers, Balnavis and Stewart (cli.-clv.) and at No. clvi. inserts another burlesque poem, *Sum Practyis of Medecyne*, printed as Henryson's by Laing on the strength of Bannatyne's ascription. It begins a group which extends to No. clxix., nineteen pieces in all, containing among others Dunbar and Kennedie's *Flyting*. Some of the pieces, I think,

are Dunbar's, others may be of later date. The difficulty of accepting *Sum Practysis of Medecyne* as Henryson's is this, that it is utterly unlike anything else of his, both as regards diction and metre. And what perhaps needs to be noticed even more than language and metrical tests is the theme of the poem itself, lacking as it does the humour so peculiarly his, and discovering a grossness found in none of his acknowledged verses.

The eleven poems which conclude the Third Book all belong to the sixteenth century. Space will not permit an examination of these in detail, or of the Fourth or Fifth Parts of the MS., and I prefer rather to conclude with some remarks concerning the authorship of *The Laying of Lord Fergus' Gaist* and *Christ's Kirk on the Green*, and on the relation of these poems to the *Complaynt of Scotland*.

The Laying of Lord Fergus' Gaist is printed in an appendix to the *Minstrelsy of the Scottish Border*, and is prefaced by a note pointing out its relation to *The Gyre Carline*. 'As the mention of Bettokis Bour occurs in both poems,' says Sir Walter Scott, 'and as the scene of both is laid in East Lothian, they are perhaps composed by the same author. The humour of these fragments seems to have been directed against the superstitions of Rome, but it is now very obscure.' I have already stated my reason for disbelieving in the common authorship. I agree, however, as to its being a skit at the Church of Rome. The theme is certainly an uncommon one—unique indeed. Can we penetrate its mystery and ascertain the author? It is worth trying for several reasons.

Let me direct attention then to a passage in the first volume of Calderwood's *History of the Kirk of Scotland*. In Volume I. page 142 of that immense Chronicle, we read of one James Wedderburn, a native of Dundee, being delated in 1540 to the Council and of letters of caption directed against him. 'He departed secretly,' says Calderwood, 'to France and remained at Rouen and Dieppe till he deceased. He had been brought up in St. Leonard's College in his youth . . . and was reasonably well instructed in Philosophy and Humanity. Thereafter he went to France and played the Merchant. . . . This James had a good gift of poesy, and made divers comedies and tragedies in the Scottish tongue wherein he nipped the abuses and superstitions of the time. He composed in form of tragedy *The Beheading of John the Baptist*, which was acted at the West Port of Dundee, wherein he carped roughly the abuses and corruptions

of the Papists. He compiled the *History of Dionysius the Tyrant* in form of a comedy, which was acted on the playfield of the said Burgh, wherein he likewise nipped the Papists. He *counterfeited the conjuring of a gaist* which was indeed practised by Friar Laing beside Kinghorn, which Friar Laing had been confessor to the King. But after this conjuring the King was constrained for shame to remove him.' Friar Laing's indiscretion seems to have excited a good deal of interest.¹

We have thus found a poet who feigned the laying of a ghost and who had to go into exile on account of his poetic effusions. Is it not quite reasonable to suppose that the burlesque preserved in the Bannatyne MS. is the poem of James Wedderburn? It is put into the mouth of a churchman who had read—

'mony quars
Bath the Donet and Dominus que pars;
Ryme maid, and als redene²
Baith Inglis and Latine.'

It is an example of burlesque romance, the distinguishing characteristic of which, as one of the poets who affected it tells us, is 'Mokking meteris and mad matere'—a *genre* which had a great vogue in Scotland. The closing lines—

'To reid quha will this gentill geist
Ye hard it nocht at Cokilby's feist,'

point us to another unique poem in the Bannatyne MS.—*Cokilby's Sow*. It is found in the Fifth Part, without ascription, between *The Freiris of Berwik*, which is anonymous, and *Robin and Makyn* with a *quod Robert Henryson*. The problem of authorship is hard to solve. Dunbar, in my opinion, has no claim whatever to it; and though I incline to the belief that it is another of Henryson's poems I hesitate to pronounce for him. One of the stories is highly reminiscent of his master Chaucer, whom he names; while the fine moralising, running like a golden thread through the whole narrative, and the apologetic ending for the 'revill rail' are quite in the manner of the author of the Fables.

¹ Vide *An Epistle directed from the Holie Hermite of Larite*, by the Earl of Glencairn, quoted in Calderwood's *History*.

² This *one* rime is also found in *The Gude and Godlie Ballatis*. See Dr. J. A. H. Murray's remarks on similar word endings in the *Complaynt of Scotland*, E.E.T.S. edition. Mr. W. A. Craigie first directed my attention to the peculiar rime.

I have mentioned *Cokilby*, however, in order to direct attention to *Christ's Kirk on the Green*. The two poems are slightly related. The *dramatis personae* are so far identical, Lowry, Downy, Diky, and 'hoge Huchown' being common to both. There is similarity too in some of the incidents. I agree with Professor Skeat that *Christ's Kirk* belongs unquestionably to the reign of James V. The problem still awaiting solution is, Who is the author? May I suggest for consideration, James Wedderburn? The conclusion may be refused by some, and I do not pretend to put it forth categorically. Permit me, however, to state some things not undeserving of consideration.

- (a) The Wedderburn poems in the MS.—there are four attributed to him—evidence a pawky, humorous turn of mind.
- (b) The tragedies and comedies of Maistir James that so nipped the Papists and enlisted the sympathy of the common people on the side of the Reformation party, would, we may be quite sure, much resemble in form and matter Sir David Lindsay's plays written for like purpose and for similar audiences. Such dramas if they lack the artistic finish of pastorals like *Christ's Kirk on the Green* have at any rate a good deal in common with them. They need green fields and blue sky; and Diky, Lowry, huge Huchown, and other rustics to sustain the fun. A writer of Plays and Interludes might very well be the author of *Christ's Kirk on the Green*.
- (c) I have mentioned before that there is slight influence of Dunbar discernible in certain pieces in the Third Part of the *Gude and Godlie Ballatis*. Now, James Wedderburn is generally acknowledged to be one of the contributors, if not the chief contributor to that section, his younger brother John being credited mainly with the translations of the Lutheran and other German hymns.¹ And mention of *Cokilby's Sow* and the *Gude and Godlie Ballatis* brings into the discussion the *Complaynt of Scotland*, claimed at one time or another for

¹ He translated manie of Luther's dytements into Scottish metre and the Psalms of David. He turned manie bawdie songs and rhymes in godlie rymes,' *Calderswood*.

Sir James Inglis,¹ Sir David Lindsay, and Robert Wedderburn, Vicar of Dundee, a brother of James the poet. As a recent writer has remarked 'it is a puzzling book and many of the opinions in regard to it cherished by the most competent scholars have since 1890 been completely overthrown.' I do not think any one in the present day will care to do battle for Lindsay or Inglis. The rival claimants are a Wedderburn of Dundee, James, John, or Robert, on the one part, and the 'unknown person' suggested by Dr. J. A. H. Murray, on the other. I may say at once that I think the whole weight of evidence is in favour of James Wedderburn, the poet, who as an exile in France, resided in that country from 1540 till his death in 1550. It seems to me mere perversity to deny the authorship of the *Complaynt* to a Wedderburn. Curiously enough there are four copies of the work now extant, all of them wanting the title page. Two of these copies (now in the British Museum) were in the collection of Harley, Earl of Oxford, and in the catalogue of his library are thus entered: *Vedderburns Complainte of Scotlande, vyth ane Exortatione to the Estaitis to be vigilante in the Deffens of their Public Veil.* 1549. One of the copies, if not both, must have been complete in the eighteenth century else how did an English librarian obtain the title, the name of the author and date of publication of the book? As Dr. J. A. H. Murray truly observes 'there is no known *external* authority for the title and author's name there given.'² Further, it is now admitted that the book was printed in France, which explains among other things the letter *v* being used throughout for *w*. It follows that *Vedderburn* would be the form in the original title page.

¹ There were two priests of the same name, and for each a claim has been made at one time or another. Curiously enough the claim of James Wedderburn has hitherto never been considered so far as I am aware.

² And he adds that the title, in his opinion, is unquestionably genuine and authentic in form, spelling, and entire character, while it is such as nobody would have invented; *vide* his edition of the *Complaynt*, Introd. p. cx. He also points out strong resemblances between the *editio princeps* and the edition of Lyndsay's *Monarchy* printed by Jascuy of Paris. It should be noted that some of Jascuy's books actually were printed for him at Rouen, *vide* Dr. Mitchell's Introduction to the *Gude and Godlie Ballatis*, S.T.S. edition, p. ci.

And two discoveries made very recently must also be noticed. One is that 'from *Le Quadrilogue Invectif* of Alain Chartier, the Scottish author has borrowed not only his general idea of a Vision of Dame Scotia exhorting her three sons, the Estates, to agree and unite against the foreign enemy but also many details of the allegory; and that in the case of a number of passages, amounting in all to about fifteen pages of the edition of 1549, he has given an actual translation of the French.'¹ The other is that the Scottish author borrowed from an unprinted translation of *Ovid* by Octavien de Saint Gelais, Bishop of Angoulême, a great admirer of Chartier.² Now with these facts before us let us consider the respective claims of the three Wedderburns to the authorship.

John, the second of the brothers, a priest, has never by any one been brought forward as a claimant. He was an exile in Wittenberg from 1538 to 1542, and it will not be readily conceded that he could have had easy access to Alain Chartier's work or that he was likely to find in Germany a copy of Saint Gelais' MS. Very soon after his return he was again pursued by Beaton, but escaped into England, after which we hear of him no more. Robert, also in holy orders, the youngest brother, has hitherto been the first favourite. But the grounds upon which his claim rests are of the flimsiest character when carefully examined. He had, it is true, during the life of the Cardinal 'to secure his safety by flight, spending part of the time in France, part in Germany. He returned from Frankfort on the Maine to Scotland in 1546, from which year until his death in 1553 he was Vicar of Dundee.' The only evidence of his literary activity is the notice by Calderwood that he superintended the editing of the godly and spiritual songs after his brother John's death, contributing to the book 'the augmentation of sindrie gude and godlie ballatis not contentit in the first edition' and providing

¹ The original of the *Complaynt of Scotlande*, by William Allan Neilson, *The Journal of Germanic Philology*, vol. i. p. 411.

² Vide Mr. W. A. Craigie's interesting article in *Modern Quarterly of Language and Literature*, vol. i. p. 267. St. Gelais in one of his works describes Chartier as *clerc excellent, orateur magnifique*.

for the various metres appropriate tunes. There is nothing more to be said for him.

Now it seems to me that the claim for James Wedderburn as the author is very much stronger. His acknowledged literary gifts and his long residence in Rouen are beyond dispute. The relation of the *Complaynt* to *Cokilby's Sow* must also be taken into account. In the middle of the *Complaynt* is the well-known *Monologue Recreatif*—the most original portion of the work—a very odd but interesting interruption and bearing evidence of having been much extended while the work was actually in the press. It is easy to understand how the author, if resident in France, might stop the printing, cancel sheets, and interpolate pages of new matter; but it would not have been easy to do so in the case of an author resident in Britain as John and Robert certainly were in 1549. Among the interpolations are the long lists of stories and romances, of dances, popular songs and airs, beast and bird cries, nautical words and commands. As a recent critic says¹—‘not merely the sudden and incongruous transitions of the Monologue but its method of giving detailed and preposterous lists of old and unusual words and names is in the Rabelaisian manner.’ In the Rabelaisian manner it certainly is, but it seems to me that *Cokilby's Sow*, which directly influenced *The Laying of Lord Fergus' Gaist*, was remembered when the author came to write the fantastic Monologue and suggested to him the list of romances, dances and songs. Some of the dances are identical in both works and what is perhaps more remarkable seven of the songs cited in the Monologue actually are found in the *Gude and Godlie Ballatis*. We may note also that Dionysius the Tyrant is brought into the *Complaynt* at least three times as ‘ane exemplil.’

- (d) When regard is had to the handling of the theme of the *Complaynt* it is difficult to believe that the author could have been a churchman. For example, in Chapter XV. where ‘the thrid son, callit Laubir’ reminds the ‘ingrat spiritualite’ that they ‘hed bot pure lauboraris to there predecessouris’ and ‘haue na cause to gloir in

¹ Chambers's *Cyclopaedia of English Literature*, vol. i. p. 214 (edition 1901).

them seluis,' or for 'there vane ignorant consaitis' which 'garris them ymagyn and belief that there predecessouris and all there nobilite and digniteis hes descendit fra the angellis and archangellis,' the voice surely is the voice not of a priest but of a layman—of one who, like Sir David Lindsay, earnestly desired 'a Ciceronian *concordat ordinum* as the only means of restoring prosperity and peace' to Scotland. The many striking resemblances between the *Complaynt* and certain poems of Lindsay, long ago pointed out by Leyden, evince intimate acquaintance on the part of the author of the *Complaynt* with the works of Lindsay; and not less striking is the undoubted relation between *Christ's Kirk on the Green* and Lindsay's *Justing of Barbour and Watson*.

I am far from maintaining that 'the probation leaves no hinge nor loop to hang a doubt on': what I do submit is that the claim of James Wedderburn to the authorship of the *Complaynt of Scotland* and of *Christ's Kirk on the Green* may some day be established by an extended study of George Bannatyne's MS.: and other and more important literary problems will only be solved when the value of the document has been fully recognised.

J. T. T. BROWN.

Life in a Country Manse about 1720

IN a pocket book of homely and homemade appearance clad in a cover made doubtless from the skin of one of his own flock—ovine not human—Mr. James Laurie, the minister of Kirkmichael has noted down from the years 1711 to 1732 memoranda of his income and expenses, his bonds, his bills, drugs he used, wages he paid, crops he reaped, books he bought, bargains he made. For twenty frugal years this venerable little note-book served him, and after the lapse of 180 years it may also serve us; for it affords glimpses of the quaint quiet rural life of Scotland in the early part of the eighteenth century.

Mr. James Laurie, who had laureated in Glasgow, and was in 1711 ordained minister of Kirkmichael in Ayrshire, was son of Mr. John Laurie who after prudently evading the 'Killing Times' in Scotland by serving a presbyterian congregation in Ireland, became after the Revolution successively minister of Penpont and Auchinleck.

Kirkmichael, with a population of 700 souls, in those days was a remote parish through which ran tracks over the moors to Maybole and Ayr. There was no village then but only little clachans. There were stretches of heather and bog, in which forty years before covenanters had sought shelter from the malignant pursuers; there were pastures and lands reclaimed from the marshes, on which were grown poor grey oats and beer or barley, struggling for existence with thistles and wild mustard; there were the heather-covered hovels, in which the crofters lived in peat-reeked rooms or 'spences,' hardly divided from the 'ben' in which the cows and the poultry had a malodorous sleeping place. Here and there were the mansions of lairds which were sheltered by clumps of trees, which alone relieved the bare woodless landscape. These dwellings were mostly homely and unpretentious. Though there were one or two of more importance, such as Kirkmichael

House, near to the manse, which an old writer describes 'as desirable a dwelling in all the country having good gardens and orchards, the first in Carrick planted with peaches and apricocks.' The manse, like most of the ministers' dwellings of those days, would be thatched, with a kailyard in front, the narrow little windows half glazed, giving dim light through walls three feet thick to the low chambers and four rooms which were divided by wooden partitions. Here resided a family consisting of the minister and his wife (Mistress Ann Orr 'that was,'), sister Betty, and four boys and three girls. Three women servants and a serving man, who slept over the byre, with a herd lassie completed the household.

A stipend of £80 was not wealth beyond the dreams of avarice for the most frugal establishment. But even this income was hard to get. Some lairds are hard up, and they pay with difficulty the teinds of 'white' or silver money, or 'victual,' in oatmeal and bere; and sometimes three years pass by before the minister is fully paid up his due of meal or money. He takes horse to Dinduff, and there he gets counted out 'three golden guineas and a banknote,' but for the rest he is obliged to accept a bill, and some 'precepts.' From prosperous Sir John Ferguson of Kilkerran he gets in 1721 'nine pounds and 3 and 20 pence and four and a plack,' which is supplemented by a bill. Impeduniosity being the badge of all their tribe, some of the heritor lairds adopt the plan of giving the minister their 'precepts,' or orders on their tenants who were to pay out of their rents the proportion of stipend allocated to their farms, and these men in turn put him off sometimes with a bill. To the farmers therefore the poor minister had to apply yearly for their shares of teinds, a few bolls meal from one, some pecks from another, and there were usually some firloths wanting when brought by grudging tenants to the door. The victual stipend arrived in sacks or creels on horseback—2 bolls forming the 'load' of a horse—and was deposited in the giral at the back of the manse, with divisions to contain malt, meal, grey oats, white oats, beer and horse corn, which might get musty or eaten by rats before it was used, so that it was better to bargain for 'white seed corn instead of meal.'

Nor were the heritors more willing to keep the manse in repair than they are to keep its owner in money. The session or minister must look after it when it goes into decay, though the window panes are broken and the casements are rotten.

To this the pocket book gives testimony, when it notes in March, 1730,—‘payd William Simson 4 shillings and sixpence for the window in my room, 12 foot of glass, and mending ane old window. Gave John Goudie half a crown for the casement, item 4 shillings to John Goudie for a casement and broads to ye south window in my room and in the low chamber, item to George Montgomery four and forty pence for glass to one of the side of ye windows in the low room, and glass to the clock and setting other glass in ye rest of the windows.’ All which shows there was discomfort at the manse. It is true the cost of living was not great, for the times were simple and the wants were few. Wool or grey plaiding woven by the weaver made the clothes for the minister and his boys, though he had a coat of blue broad cloth for solemn occasions; a gown of ‘Musselburgh stuff’ for ordinary wear satisfied the mistress of the house, made by the tailor¹ from a neighbouring clachan, and woollen petticoats and other undergarments were made at home. Judging from the memoranda, shoes seem to have been a constant requirement, and from their cheapness it is not surprising they needed often to be renewed. Shoes for the minister or his wife cost £1 4s. Scots or 2s. sterling, while those for the youngsters cost only one shilling, and they are ‘soaled’ for 4d. per pair. For £4 4s. Scots five pairs are made for ‘the bairns’—Molly, Annie, James, John, and Nelly. It was however far more economical to get the shoemaker and his man to come to the manse and work for some days, the wages being about 4d. a day each and their meat. These were great occasions when the cobbler or tailor was expected at the manse, bringing news and gossip for the servants from Maybole. In preparation for their coming the minister set in for their use a quantity of bend leather, a pound of hemp and rosin, and there were tanned skins of his herd to use. It is noted that in August, 1716, ‘James Niven and his servant wrought nine days for which I gave him 6 and 4 pence (6½d. sterling) per day and seven pence for timber heels. They made 2 pair shoes for me, 2 for my wife, 2 to my sister Betty, 2 to Molly, one pair to Annie, 2 pair to Alexander Kennedy

¹ That there were tailors as well as weavers in some little clachans is shown by the Session books: ‘Sept. 2, 1693. The Session appoints John Forgan to employ a Straiton tailor to make a coul or covering of sackcloth for the said Janet Kennedy, like unto that which they have in Straiton, there having been no such thing here for these many years it’s thought none of the tailors of the parish can make it.’

[the serving man], one pair to Margaret Smith, one pair to Katrin MacIennan, one pair to Margaret Brewster the herd lassie.' Here are thirteen pairs of single soled shoes in nine days for the small sum of 4s. 9d.

Under August, 1722, we find a similar entry characteristic of bygone days. 'David Gibson with his man came on Tuesday morning and wrought till Tuesday 12 o'clock, and made a pair of slippers for myself, 2 pair cloath slippers for my wife, 2 pair shoes for Betty, a pair to Molly, Annie, and Johnnie; 2 pair to Charles [serving man], so he has got all the shoes I owe him when Martinmas is come. A pair to Janet Macgowan which is all she wants till Martinmas is come; a pair to Sarah and a pair of shoes is owing her against Martinmas, 2 pair to Margaret Macnicol which pays all her shoes, and a pair to Janet Morton.' The wages of each man being only one groat or victual a day, fifteen pairs of slippers and shoes are wondrously cheap at the money.

In the house are living and feeding three women servants as active in the byre and the field as in the kitchen, and a man who has to look after the garden and the glebe, to plough, to reap, to thresh corn, and fodder the cattle.

The women's wages were from £5 or £6 Scots (between 8s. and 10s.) the half year, and a pair of shoes or an apron, while the man has £7 Scots, a pair of shoes and a sark, and each gets 6d. as 'arles.' These 'shoon,' however, were not in constant use; barefooted the women would go about the house, barefooted they would walk to kirk or market, till they came in sight of the kirkyard or town, when they would put on the ill-fitting shoes, which were slung round their necks, and hobble into company. In winter time, when snow lay over the fields and moors, and the rude rugged roads were impassable by coach or horse, and there was a cessation of outdoor work for maid and man, the manse household was busy indoors. The serving man, after foddering the sheep and cattle, at night would be mending his shoes or double soleing his brogues. The women, with Mrs. Laurie and Mistress Betty, were engaged in making yarn and thread on the 'big wheel' and the 'little wheel,' and the spinning wheel whirled all day long, distracting the minister engaged on his sermons or Poole's Synopsis in his book-room, with constant clatter of tongues and treadles that sounded through the wooden partitions. Every now and again the pedlar would come with his tempting pack, and the weaver

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seeking 'customers work,' and they buy some of the yarn or thread made in the manse; while from the weaver are bought '13 ells of Kilmarnocks 2d. happen the ell, 36 ells linen, and 27 ells bairns sarks,' and 'broad cloath 14 ells at 3 happens the yard.' It was not then beneath the dignity of ladies to sell their home-made wares, and to the laird's wife at Kilikie are sold '36 dozen ells of yarn,' and it is noted that 'my wife received from Lady Killhenzie '14 shilling for her cloath napery.' The servants are furnished with an apron or petticoat to be 'deduced' from their wages. There is also the linen to be bleached by David Mitchell, 'the bleetching of 21 coarse linnen, 8 pennies per ell being £1 10s. Scots,' and cloth to be dressed. The stuff for this home industry was easily got, for the minister has a flock to supply wool for the yarn, he has flax growing on the glebe to provide lint for the spindle.

One of the labours for the serving man was that of carting peats from the moor; but there were also coals to fetch from Keirhill heugh, which in those days when carts were unknown and unusable on the ruts and tracks of stones and mire and ditch that served as roads, were conveyed in creels on horses' backs. The meagre ill-thriven animals could only bear meagre burdens, and a 'load' was only 3 cwt., which was all they could carry. It was therefore a tedious operation to get a supply of fuel. We find in the MS. book such entries as these in the years 1722 and 1724. 'Payd John Brackenrig eleven pounds twelve pence happeny for 98 load of coals,' 'to 56 loads £5 18s.,' '44 loads £4 16s.,' and we have in mind a vision of the long weary succession of horses crawling backwards and forwards with their creels of coals, each of which is only worth 11d., and for fetching each 2 loads John or Jamie Gilbert is paid a groat.

Money was always scarce in Scotland in those days; gold was rarely seen, silver was grudgingly used, and in transactions with tradesmen they were as much as possible paid in kind. The weaver was often paid by the minister partly in grain, some firlots of meal, and a sheep or calf skin. From the shoemaker's account is 'deduced' the sum he owes Mr. Laurie for a stirk skin, 2 cowskins and a cuddock skin valued at from 10d. or a shilling. David M'Rotchart the smith has taken off his account—'for a veal [a calf] £3, making a wheelbarrow 12s., a saith, a sned and a stroake 8s.,'—a charge for 10 pecks of meal and skins of stirks or stotts.

From the humble entries of purchases made we can construct a picture of the old Kirkmichael home life, where living was not costly and ways were simple. When the minister goes to Maybole his expenses are only 6d. Four hens are bought for 16s. Scots (1s. 4d. stg.), a dozen eggs for 2½d., a hen 2½d., a stone of cheese 3s. 4d. The purchases are on a microscopic scale, which translated from the Scots money to English represent for raisins 1d., for sugar ½d., 2 lbs. of sugar 1s., for spinning yarn ½d., to starch and an ounce of sugar 2½d., for tobacco 3 farthings; 'for ¼ lib. soape and eggs, 5½d.; for coals, 4s. 8d.' To tobacco to coals 2d., thread 1d., to gunpowder ½d., for 4 napers at Maybole, giving my sister for eggs 3d., for eggs' 1d. When the minister sets off for Ayr he is laden with orders, and comes back with his wallet and saddle bags laden with purchases. He has spent for plaiding £1 4s. Scots. The same sum to his wigmaker to mend his wig, and '£1 1s. for making my coat,' and there is 1s. 8d. sterling miscellaneously spent, 'for tobacco, horse, soape, sugar candie.' The frequent mention of 2d. for ale, 4d. for ale, represent the sums for 'drink money' given to each workman, to those who called with a message, or to those who called with a bill. There is also one article which is often bought, though in minute quantities—sugar candy, which is put in curious conjunction, such as 'for eggs and sugar candie 1s. 6d.' (or 1½d.). This article was used not only for cooking, but for the making of drugs and electuaries, doubtless to relieve their loathsome tastes, and hide their more objectionable ingredients. Sugar was not needed for tea-drinking, for that custom was long of springing up; but in 1724 we find the new fashion penetrating the manses of Ayrshire, though a lb. of Bohea cost 24 shillings, and Mrs. Laurie and her family having resolved to become *à la mode*, the minister has invested in a whole set of tea-table equipage. He notes down 'the price of ye lime,'—'lime' meaning loam or earthenware.

4 large dishes for milk,	-	-	-	£1 14 0
Milk pot, -	-	-	-	0 4 0
Tea pot, -	-	-	-	0 6 0
Dozen cups and saucers or plates, 2d.				
happeney p. piece,	-	-	-	1 10 0

At the same time he buys 'a decanter 9s., 5 parringers at 2½d. a piece, 2 hand basons 12s., a lap bason 3s., and 10 plates at 2d. pr. piece,' and the cupboard is thus anew set up. It is in Edinburgh when attending the General Assembly that he finds

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an opportunity of buying such additions to the household garnishing, which are sent by the carrier in his creels, with 'a letter 8d.,' 'my saddle from Edinburgh 6s. Scots.'

It is March and there are vegetables to be put in the yard at home, and from the seeds he buys we know the contents of the manse garden: 'ane ounce spinage 3s., 1 ounce beet shard 3s., $\frac{1}{2}$ ounce parsley 1s., 2 drms. colliflower 8d., 2 drs. lettuce 1s., ane ounce carrots 3d., ane ounce parsnips 3d., $\frac{1}{2}$ ounce cresses 1s., $\frac{1}{2}$ ounce of salary 3d., 2 ounce early turnips, half ane ounce yellow turnips, 1 pound turkey beans, 1 lib. peas 6d.' Potatoes were not yet grown in the garden, and were but an expensive luxury which is noted only in one entry—'£6 for cheese and potatoes.' In front of the manse, which was bare as the treeless country, lay the kailyard, its culinary contents relieved by some flowers, and when the minister is in Edinburgh he gets seed to replenish his borders—'Africa marigold, amaranthus, sunflower, stock jelly flower, coxcomb, luppyns bleu and yellow, double holly oaks, bella donna.' With these and many other articles, Mr. James Laurie, dressed in long blue coat with ample skirts, jack boots on legs, many-curved wig and three-cornered hat on head, would leave the Grassmarket hostelry, where there was less entertainment for man than for beast, and amble homewards to Ayrshire.

These were days when the country was poor, when the people were very poor, and when beggars abounded. Passing over the roads a constant succession of sturdy sorners lived on the good nature and credulity of farmer, cottar, and laird. The alms were more ready than lavish—a handful of meal or a sup of kail. At Kirkmichael manse they made their appearance, and the minister dispensed charity, more from the poor-box than his own purse, and the supplicants departed thankful for extremely small mercies. In August, 1722, for example, are given 'to 2 poor seamen broke at Greenock 3 happens; 2 sick women 2d.; to a poor sick man with a large family of children from Kintyre a penny.' Next month is 'payd a shilling for maintaining the woman in prison'—doubtless committed to the 'thieves' hole' of Ayr by the Presbytery's orders. In days when Scots ships sailed to Portugal and the Levant with their cargoes of woollen stuffs, dried salmon and salted herring, they were often pounced upon by the Tarifa pirates, who, disgusted with the miserable plunder, sold their crews into slavery in Algiers and Barbary. After sore hardships

some escaped or were bought from their Moslem masters, and arrived on their native shores in rags and hunger, bearing on their bodies the marks of brutal usage in maimed limbs and tongueless mouths. These poor wretches were the objects of special commiseration and won charity from kirk and house, though in donations which reveal more the poverty than generosity of the age. Such 'supplicants' at Kirkmichael manse were sent, if not full, at least not empty away, as the disbursements of Mr. Laurie from the session's poor-box show. 'To a poor man taken a slave in Algiers 6s.—alias ½d. sterling; 'To a slave from Algiers, dumb, 2d.'

The stipend of Kirkmichael was small. The family was increasing, but Mr. James Laurie was a prosperous, shrewd man, eager over his grain and his cattle, his bonds and his bills. He had besides his glebe, land or 'mailings' in other parts of his parish which he stocks for grazing. In 1723 he has at Glastron '11 gimmers, 4 ewes, 5 dinmonts, 13 lambs, 1 tup—all marked above the ears'; he has also there '3 queys, a stot 2 years old, 4 stirks, 1 stot white faced'; besides 'Johnnie has a ew and a ew lambe.' A groat is paid to a crofter for each beast he grazes in summer. In 1722 'It is agreed betwixt William Goudie in Glastron and the minister of Kirkmichael that he shall take charge of ye cattell, horse, nolt, and sheep, and herd them till Martinmas, and oversee the making of fold dikes and mend them when failing and assist at the hay, and to have for his pains a horse grass, and 2 cows' grass and a stirk, the house and yard, and 2 bolls meall.' There being in those days of rude agriculture no enclosures of fields, no fences, dikes or hedges, the cattle needed to be herded night and day lest they should stray on the crops of the neighbours; but when harvest was over they could wander and pasture anywhere as on common ground till Martinmas. Then there was a slaughter of sheep and oxen for the mart of salted meat, which kept families supplied with monotonous fare till June came round, while the surviving beasts were kept shut up in byres till in April they issued forth blear-eyed, starved, emaciated, tottering with weakness. No wonder in this little note-book we have entries such as this: 'June 3, 1720. Dead 6 ewes, remaining five; 2 last year's lambs dead, 6 alive.'

Here is another of those engagements with servants, duly witnessed and signed in excruciating cacography, which are interesting as relics of bygone fashions. In 1727 'there is an

agreement between John Kennedy and the minister of Kirk-michael. The said John Kennedy is to work all days of the year to me at Avonsou, and if occasion offer sometimes a day or two here which is to say he is to oversee the herd, flit the folds, weed corn, shear and bind in harvest, oversee the cattle after harvest, in winter to thresh and fodder the milt, and oversee the sheep, and plough the land and cut down the haye and help to win it, for which I give him a house and yard, 2 cows grass and their followers, 2 ackers of land ploughed and harried, the proof for threshing.' Sometimes the wages are varied, to '2 acres of land, an aiker of croft of the 3rd crop 4 bolls and $\frac{1}{2}$ meall a house and yard, 2 pair of shoes,' 'a peck of meal out of each stack for foddering cattle, and right of hoof to bring home 18 loads of coals.' Carefully is noted the produce of every stack. This one 'is proved' to 9 bolls; that has 'corn dighted 7 bolls and a half dried for meal,' and there is a fee allowed for 'proof of threshing,' of 3 pecks or '7 pecks, a forpit, and a handsell.' The price of a boll of meal was £6 13s. 4d. Scots, a boll of bere £8. A boll of corn is about £6 Scots, sometimes six merks.

The prices at which the beasts were bought vary little year by year; but the small value set on them was due to their miserable kind—small and meagre. From William Goudie are bought 'a cow, 2 queys, and a sheep for £3 sterling. The cow 13 lib. (Scots), the queys 9 lib. a piece, the sheep 5 pounds.' From another 'ane cow 20 merk old but good mouth.' From David M'Laren 'a quey for 11 pound, another at a guinea 6 weathers 42 pence a piece,' and 'from Adam Grieve five weathers eleven groats a piece.' By selling his beasts—dead or alive—('Thos. Mactaggart owes me four pounds for ye half of ye carecass of a stot')—he increased his little fortune, and besides that he had the skins of the dead to sell, which he gave in part payment to his weaver, shoemaker, and smith. But he had need for many of these skins for himself, and he sends them to be dressed, barked or tanned by the shoemaker, and these are used when the shoemaker and his man come to work for 7 or 9 days at the manse as leather to make shoes for the family. There is £1 10s. Scots for tanning a cowskin, £1 for dressing the skin of a codoch (which is a heifer), and the hide of the pony. Nothing is wasted in the household. There was grain more than enough from his land, and also from the victual stipend that replenished his giral. So he pays with it his tradesmen; he exchanges superfluous meal for malt for brewing, and supplies the neighbours

and cottars that call at the manse to buy portions of grain—from the laird of Killikie, who sends his men and 6 horses for 12 bolls of meal, at 8 merks the boll, to Widow Airds, who comes to buy 2 pecks. Some cot-houses he had to let to the poor. Mary Agnew gets a kiln to live in, with a yard, grass for a cow and a calf, 'for which she is to pay £7 Scots, 3 days shearing, and as many peats as a man casts in a day.'

Prosperous, the minister has more bonds than debts. The Burgh Records of Lanark show that he had in 1727 sold to the Town Council a tenement for £100, and the impecunious state of the burgh is shown by the difficulty of finding a man to become security for paying the money. Nor were the gentry abounding in funds—their rents being mostly paid 'in kind,' to raise a few pounds often drove them to their wits' ends. There was no bank from which to borrow except in Edinburgh, and when money did come in there was no secure place to place it, and it was lent to some well-to-do baker or general merchant in a town, or borrowed from a better off neighbour at 5 per cent. So it happens the laird of Dinduff, who pays his minister largely by bills and precepts and victual, is driven to give a bond to him for 3000 merks borrowed from him—a sum which seems supplied by his mother-in-law; his brother-in-law, William Smith of Boggend, is obliged to seek his aid for sums of 100 merks now and again, for which the 5 per cent. interest is duly exacted. When one luckless gentleman is unable to pay back in silver a bond for £10, the debt is cleared by Mr. Laurie allowing him for books and brandy—'Tillotson and Barrow's *Sermons*, Howe's *Living Temple*, Walker's *Gift of Prayer and Preaching*, etc.; also a cask of brandy containing 22 pints, 25 pence per pint [a Scots pint equal to 2 quarts English], 2 casks and a chopin of brandy at 1s. 3d., a firkin of soape at £1 1s., and a hat 9s.' By which transaction it is clear that the minister had made a very good bargain. Yet even he is forced to borrow at times, and does so from Sister Betty, a spinster evidently as shrewd at affairs as himself, who lends her money also at 5 per cent. When she goes to England, however, she needs 36 merks for her journey, and she calls up £2 7s. 'which Betty says is not paid'—reminds him of sums for muslin and wages, and 4d. owing for pins, needles, and knitting thread. There is also mention of money borrowed by him from the poor-box, for which a bond is given and the usual interest paid.

However engrossed in bullocks and bonds, in corn and

crops, the minister of Kirkmichael had interests also of a wider and more intellectual range. There were signs of learning and culture in the old manse. The shelves of the little book room were well filled, and groaned under their ponderous load of calf-bound folio and quarto. There are volumes in Latin and Hebrew, in Greek and French, as well as English—there are theology and history, and classics and plays. Clearly he was one of the new school, denounced for their profane morality by the fanatical ministers then abounding in the church. He owns only one of the saintly and grim Mr. Thomas Boston's works. There are church Fathers like Ambrose and Augustine, puritan Fathers like Owen, Reynolds, and Goodwin, Anglican divines such as Tillotson and Barrow; and foreign theologians, Turretin, Cocceius, and Calvin, lie side by side with Arminius, which displays a fairly catholic religious taste. The wanton Mr. Wycherley's plays in folio, with the portrait of the worldly handsome face under a huge flowing wig prefacing the title page, stand unblushingly in the shelves between Baxter's *Saints' Everlasting Rest* and Taylor's *Holy Living*. Nor was the worthy minister a niggard of his books: he had nothing in him of the curmudgeon spirit of the jealous bibliopolic abbé of Paris who inscribed over his library door the forbidding legend: 'Go to them that sell and buy for yourselves.' No: to neighbouring ministers and lairds less furnished than himself he lends his volumes freely, and marks in his note-books to whom he has given them, though the note, reproachful to some entries, 'I do not know who has this,' shows that his kindness was not always fairly requited. We can learn from him what was the sort of mental provender those old times fed on; the stern Sabbath reading which made the evening preluded by two prolix sermons and a lecture deplorably dull, and sent the most sound and 'awakened Christians' soundly to sleep. The Rev. Mr. Fairweather of Maybole has ridden off with the folios of Manton on St. Matthew and Hutcheson on Job behind him. Sir Adam Whitefoord has Diodatus' *Annotations*. The more worldly laird of Dinduff has borrowed *Athenian Sports*; while Sir John Ferguson of Kilkerran's son, evidently a student at Edinburgh, procures a Goldeman's *Dictionary*, Ovid's *Metamorphoses*, and *Cornelius Nepos* in English and Latin. The student son of another laird gets from his minister Homer, Buxtorf's *Hebrew Dictionary* and Puffendorf's *De Officiis*. Others have got to read Sackeverell's *Tryal*,

Vertot's *History of Sweden*, and Boyer's *French Dictionary* to consult and *Look before ye leap*. More pious-minded neighbours seek from the shelves spiritual nourishment in the shape of the godly Mr. Durham's *Heaven on Earth*, Henry on *Sobermindedness*, Reynolds' *Vanity of the Creature* and Sibbe's *Bowels of Believers Opened*,—that work of fragrant piety familiarly and elliptically known as 'Sibb's Bowels.' The physician, Dr. Stevenson from Maybole, takes away with him, after drugging the children, *Religio Medici* and, less appropriately, Catullus, Ditton on the Resurrection and *Moses' evidence of things not seen*. The minister's mother seeks repose of mind in Watson's *Art of Contentment*. It is sad that the worthy man has to look on empty spaces where a volume of Cocceius or Flavell or Augustine has been lost or never returned, making an ugly, memorable and lamentable gap in the shelves. Liberal as he was in his views and with his books, the Session Records show that he was not lax as a pastor. It is ordered that culprits at the Kirk are never to appear except in sackcloth, and 'the adulteress has there to stand for eight Sundays,' having been first examined on the principles of religion and repentance by the minister and session. In 1711 it is appointed that there is to be a diet for prayer at the manse on Monday. In the old Kirk, surrounded with ash trees (on one of which the bell hung), besides the two long services on Sabbath, there was preaching every fortnight on week days 'except during ploughing and harvest.'

To the manse of Kirkmichael troubles and ailments came now and again, which called for the aid of the doctor. Dr. Stevenson from Maybole would arrive with his saddle-bag full of concoctions and electuaries, his lancets for blood-letting, and his sand-glass for timing the pulse bulging out his ample coat skirts. This old sheep-clad pocket book is careful to record some of the invaluable recipes of the esteemed surgeon, which, however, give but faint notion of the preposterous pharmacopœia of the age. The ailments mentioned are mostly simple and infantile; and that is fortunate, for in those days the remedies were worse than the diseases. 'For outstricking (that is eruption) in children take a halfe muscele or mother-of-pearl shell and burn it over a pite [peat] fire till it turn quite white make it into a powder, take of it ane ounce and of the powder of slaters [wood lice] two ounces,' with other ingredients which are illegible, to be thrown into a pewter dish till they are dry. For Annie is prescribed 'a handful of

red rose leaf, ane ounce of oake, make a strong decoction into a chopin.' 'For wind in the body or to purge the wind out of the veins take of indian rhubarb ane ounce in fine powder of carvie seed; as much same of liquorice, ounce of white sugar candie. Mix it well in a closs box, take as much at a time as a twelve pence white money will hold three times a day.' Not even was the manse of Kirkmichael free from that ill to which (Scots) flesh was heir to—namely the itch, that plebeian affliction which had no respect of persons, caught from contact with a peasantry more godly than cleanly, and by intercourse at parish schools where children of the highest rank rubbed shoulders with the poorest. Dr. Stevenson prescribes for the cure of Johnnie from this ignoble complaint 'two grains of mercury in the morning, 3 at night, 3 nixt morning. Then nixt morning purge him out with ane infusion of a dram and a halfe of senna and halfe a dram of Crim. Tartar in a gill of hot water. Repeat this once again, then a decoction of woods for a moneth. If he have any outstricking [eruption] rub him with the ungentum citrinum betwixt the 2 courses,—the ungentum citrinum or 'yellow ointment' being composed of quicksilver, spirit of nitre mixed with a pound of melted hog's lard. Frequently the favourite concoctions were home made and home found, the ingredients being culled from the kailyard or marshes. When one of the family was troubled with a cough the simple remedy consisted in 'a handfull of tussilago [colt's foot], a handfull of nettles, a handfull of beir, a handfull of hoarhound, all boiled in three mutchkins of water to a chopin.' Rust of iron, seeds of wormwood, castile soap, gall of ram or bull are called into requisition to form Dr. Stevenson's precious prescriptions to cure everything from jaundice to 'sneezing.'

So the quiet life of the old times went on. When too old for the lessons in the thatched school to which children brought their supplies of rushes for the dirty floor and peats for the fire, the boys and girls of the manse would probably go to Maybole, to take lessons from Mr. John Millan, the 'master of manners and dancing.' There are the visits to be paid to neighbouring lairds and ministers, the wife riding pillion behind her husband, the serving man following with portmanteau. Guests arrive too, for whom there is provided not merely the ale brewed at the manse, but good wine, for his accounts

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show that the minister has purchased in 1720 '14 pints at 20 pence per pint,' and in 1721 'ten pints and a chopin at £10 10s. and 3 pints strong wine for £4 10s.'

There were the frequent meetings of Presbytery held at Ayr, which lasted for days, discussing and examining witnesses on some familiar scandal. In 1717 they were long engaged on the case of Mr. Fairbrother of Maybole, whose trial shows that minister and lairds would meet to drink at the Maybole inn, consuming by 8 o'clock in the morning some chopins of wine and gills of whisky. These presbyterial labours were relieved by adjournments to Mrs. Hutchison's inn. There the members sat down to their mutton and hens, which they cut with the joctelegs or clasp knives which they brought with them, and drank out of pewter mugs of beverage which was not always the simple 'twopenny,' for we find Mr. Laurie, in 1729, as his share pays for presbytery dinners 'ten pounds ten shillings and a mutchkin brandy.'

It was in this simple style of living that our ancestors fared, probably as happy as in our more expensive and luxurious days. The Kirkmichael family grew up, some to go out of the world, some to go into the world. George and James go to Glasgow college, the first to become Dr. George Laurie of Loudon, afterwards the helpful friend of Robert Burns, the other to enter the army and die Colonel Laurie, Governor of the Mosquito Shore. It was in 1764 that Mr. James Laurie died, leaving a good name and some good money behind him.

HENRY GREY GRAHAM.

The Fiscal Policy of Scotland before the Union

FOR many reasons it is a matter of regret that the economic history of Scotland before the Union is as yet unwritten, and more especially since disputants in the present controversy are adducing the 'case of Scotland' as an argument. What is amusing in such references is that this appeal is made with confidence not by one side only but *by both*. For instance Mr. Balfour and Lord Rosebery, speaking from opposite standpoints, have quoted the fiscal conditions of the Union in support of their respective contentions. The former is reported to have said in his speech at Sheffield on October 1st: 'You will find many cases in which fiscal union has been the prelude to that closer and more intimate union which is the basis of national strength. I may mention, as a Scotsman, the case of England and Scotland. If any of you will consult your history you will see that what reconciled the smaller kingdom to union with the greater kingdom was no love of the being under a British Parliament, but the sense that it was absolutely necessary for national existence, or at least for national prosperity, that England and Scotland should be fiscally one, and that that union which should stand merely, so to speak, on a fiscal basis, has grown as we all know in a manner which has welded the two peoples together in an inseparable unit which it will not be possible for any hostile force to divorce.'¹ On the other side Lord Rosebery said in his speech on October 13th: 'As regards Scotland, I know something of that country. There was no fiscal union which promoted the Union. It was exactly the

¹ Mr. Chamberlain makes the same statement as a general proposition, *e.g.* when he said in his speech on November 18th, that 'in all previous cases commercial union preceded political union.' In the Introduction to his speeches (*Imperial Union and Tariff Reform*, p. ix.) reference is made to the 'commercial union which must *precede or accompany* closer political relations.'

reverse. Scotland was starved and coerced into union by the fiscal regulations of England—meant I am bound to say with no other object but to promote that Union. But is that the same as fiscal union preceding political union'?

Here it will be found that two political leaders dispute the historical insight each of the other. Whether fiscal union preceded political union or *vice versa*, or again, whether both were conditioned by the same causes are important points in the historical antecedents of the tariff controversy. Again, is it true that 'Scotland was starved and coerced into fiscal union with England'? Was there a tariff war between the two countries before the Union, and if so who was the aggressor? Finally, what was the effect of the protective system of Scotland before the Union, and how was that system modified after 1707? All these are important questions to which answers are required before any use is made of the historical argument from the fiscal relations (or absence of relations) of the two countries at the beginning of the eighteenth century.

Before attempting to answer any of the questions stated above it is necessary to remember that the fiscal system of Scotland, as it existed immediately before the Union, was the result of numerous causes which had begun to operate long before the Union, and for a right understanding of the situation it is necessary to investigate the reasons which brought these causes into existence. In fact, Scottish commercial policy at the end of the seventeenth century was due to influences that had begun to operate nearly a hundred years before, if not earlier.

In the last years of the sixteenth century the trade of the country was in an unsatisfactory condition. Internal dissensions had impeded commercial development, and foreign trade at that period consisted largely in the importation of finished manufactures, while raw materials and the products of the less developed industries were exported.¹ Under the prevalent mercantilist ideas of the period this was considered disadvantageous, and steps were taken to effect a remedy. The clearest exposition of the policy of the time is contained in a document drawn up by John Keymor with special reference to the existing circumstances. His results might be summed up in the maxim 'to rival the Dutch in the fishing industry and the English in the cloth trade,' and this line of thought dominated Scottish commercial policy

¹ *Edinburgh Merchants in the Olden Time*, by R. Chambers, pp. 9-16.

for the remainder of the century.¹ The encouragement of the fishing trade was spasmodic and produced few results. James I. authorised a Scottish Whale Fishing and India Company, but the patent was recalled owing to the opposition of the English East India and Russia Companies, which at that time were acting in partnership. An important fishing company was incorporated in the time of Charles I. with a series of subordinate associations to work in certain districts, but the venture resulted in serious loss to the shareholders. Then in 1670 another company was formed under the title of the Royal Fishing Company of Scotland, but it retired from business after the loss of the subscribed capital of £25,000 sterling.

The attempt to make indigenous the production of cloth was prosecuted more consistently, and apparently better results were eventually obtained. As early as the time of Mary the Edinburgh Town Council spent £68 6s. 8d. in bringing a number of foreign weavers with their families to Scotland.² Then before Keymor wrote, in the year 1601, the Privy Council had endeavoured to supply the deficiency in skill by importing seven Flemish weavers who were to give instruction. The usefulness of this scheme was impaired by the jealousy of the important towns, which disputed so long for the honour of the presence of the foreigners that the men were not employed and were in danger of starvation.³ It was some time before they could obtain work, and they were frequently interrupted by the jealousy of the Edinburgh incorporated trades. Eventually they settled at Bonnington, where cloth was actually produced; and, at intervals during the remainder of the century, there are records of the industry surviving at this place.⁴ Again, in 1633, the magistrates of Peebles also endeavoured to move in the direction of improved technical education.⁵ It must be a matter of regret that these efforts towards the development of the skill required did not obtain a fair field for testing the value of the idea, and one of the greatest hindrances to the development of the cloth as well as that of other manufactures, until the influx of

¹ Policies of State Practised in various Kingdoms for the encrease of Trade (Edinburgh University Library—Laing MSS. Division II. No. 52) ff. 3, 22-24.

² *The Rhind Lectures*, by Prof. Hume Brown, on 'Trading in Queen Mary's Time.'

³ *Domestic Annals of Scotland*, ii. p. 351.

⁴ *History of Civilisation in Scotland*, iii. p. 306.

⁵ *Burgh Records of Peebles*, p. 272.

Huguenots after the revocation of the Edict of Nantes, was the impossibility of obtaining qualified Scottish skilled labour and the very great difficulty of tempting suitable skilled foreign or English workmen to settle in Scotland.¹

Another hindrance to the foundation of a Scottish cloth trade consisted in the fact that the country did not produce wool of sufficiently good quality for the manufacture of fine cloth—indeed, as will be shown, even at the end of the century it was necessary to import this class of raw material. So that, besides the absence of technical skill, a complete home-grown supply of the raw material was wanting. In 1641, and again in 1645, attempts were made by legislation to atone for this latter defect. It was enacted that Spanish and foreign fine wool as well as all other raw materials, such as dyes and oil, were to be free of custom, while the owners of manufactories were given large powers over their servants with a view to encourage the introduction of skilled labour.² By these acts the protective policy of the seventeenth century was inaugurated, though as yet the protection was comparatively small, being confined to what might be described as a double bounty, namely the exemption of raw materials imported from custom, while the finished product received a similar concession on exportation.

A third impediment to the starting of new manufactures was the want of sufficient capital, and efforts were made by two acts passed in 1661 to attract wealthy foreigners to start industries in Scotland by promising them naturalisation. To induce Scotsmen to co-operate, facilities were given for the formation of companies through individuals having the right 'to incorporate themselves.' This provision constituted a differential advantage in Scotland, as compared with England, for in the latter country a charter of incorporation could only be obtained at considerable trouble and expense, while a company acting without a charter was liable to have its corporate existence called in question.³

Still the measure of protection was not complete. It is true that in the twenty years following 1661 several industries were started, but in every case additional privileges (generally indeed a monopoly) were granted. In 1681 a thorough-going protective

¹ The importance of inducing foreign skilled workers to come to England at this period is shown by Dr. Cunningham in his *Growth of English Industry and Commerce in Modern Times* (Edition 1903) p. 329.

² *Acts of the Parliaments of Scotland*, v. p. 497; vi. p. 174.

³ *Ibid.*, vii. pp. 255, 261.

system was evolved. By acts of the Privy Council and of Parliament in that year certain commodities deemed superfluous were forbidden either to be imported or worn. To encourage home manufactures the importation of a large number of manufactured goods, such as linen, cambric, calico, and generally all stuffs made of linen or cotton or wool (excepting arras carpets), was also forbidden. Moreover, raw materials produced in Scotland—as for instance lint and yarn—might not be exported. In addition, as in former acts, foreign raw materials required were exempted from custom and all other public dues. Manufactured goods exported were freed from duties for nineteen years after the foundation of a given manufacture, and finally the capital invested was declared not to be subject to public or private taxes for ever.¹

Thus the protective system, that had started with modest remissions of duties in 1641, had grown by 1681 to an extreme beyond which it was impossible to go. At the present day a protective duty of 100 per cent. *ad valorem* is looked upon as excessive, but in 1681 Scottish policy had developed something much more hostile to the foreigner. The home manufacturer was absolutely protected against foreign competition. Then, as far as it lay in the power of the government, his cost of production should have been low, since not only did the prohibition of the export of lint and yarn tend to make his raw material artificially cheap, but he was exempt from all home taxes. Indeed, cases are recorded in which the excise on drink consumed by the workmen was remitted!

In view of the prominence given to the 'infant industries' argument in favour of Protection, the effect of the Scottish protective system is of more than passing interest. Fortunately, since the minutes of one of the companies founded under the Act of 1681 have recently been discovered, the history of the system can be traced step by step. In this respect the materials for Scottish industrial history are more copious than those for the same time in England, for this is the only case in which the records of a *manufacturing* company of the seventeenth century are known to exist.² This company was founded in 1681 to manufacture cloth, and its works were situated near Haddington, at a place then called Newmills, but now known

¹ *Acts of the Parliaments of Scotland*, viii. pp. 348, 349.

² This MS. will shortly be published by the 'Scottish History Society.'

as Amisfield. The earlier entries in these minutes show the great difficulty experienced by the directors (who were then called 'managers') in obtaining competent workmen and the plant that they needed. In 1683 there were 29 looms at work and soon afterwards 10 more were ordered, which would bring the output up to 12,000 ells a year.¹ In spite of all the advantages that the undertaking enjoyed, and although no profit had as yet been made, the price of Scottish cloth was considerably higher than that produced elsewhere. This fact emerges in a somewhat interesting manner. The government had decided to adopt a military uniform in order 'to distinguish sojers from other skulking and vagabond persons.'² It was found that cloth made by the Newmills company could not be sold as cheaply as that imported from England even after the officer or official to whose hands the transaction was committed had had a profit. Accordingly the Privy Council, only a few years after its own proclamation, set the bad example of permitting certain persons to import English cloth for certain specified purposes. Now, it invariably produces a bad impression for a government to make exceptions from its own legislation in its own favour. That such a course should be adopted advertised the fact that English cloth could be delivered more cheaply in Scotland than the home product. But the contention of the government should have been that a temporary sacrifice was necessary to encourage the infant industry; and therefore the State, to be consistent, should have set the example in making this sacrifice. However, when the government made exceptions it was only to be expected that unauthorised persons followed the example set them, with the result that by 1685 the smuggling of English and foreign cloth had become common. Even a shareholder in the company was convicted of importing and selling the prohibited commodity, and it was ordered that his cloth should be burnt by the hangman and his stock in the company forfeited.³

The company now appealed to the Privy Council, and in

¹ *A Representation of the Advantages that would arise to this Kingdom by the erecting and improving Manufactories . . . with . . . an account of the manufactory at Newmilnes, . . .* Edinburgh, 1683 (Advocates Library), p. 18. MS. 'Book for the Managers of the Manufactory's Weekly Sederunts' (Edinburgh Univ. Library), f. 27.

² Records of the Privy Council quoted by Chambers, *Domestic Annals of Scotland*, ii. p. 419.

³ *Chronological Notes of Scottish Affairs*, by Lord Fountainhall, p. 91.

1685 it received further privileges, amongst which was the power to force persons to declare on oath whence they had any given parcel of cloth, as well as the objectionable privilege of forcible entry into private dwellings and of breaking open doors or chests in search of imported cloth.¹ In the following year these grants were confirmed by a 'King's Letter' and proclamation on behalf of the company.

The means by which these privileges were obtained throw some light on the ethical standard of the times. In most cases the company found it necessary to purchase the good offices of powerful persons, and the minutes record the consideration money with the same naïveté that the Court Books of the East India Company describe the nature and amount of the 'gratifications' that were found necessary from time to time. What strikes one in reading the minutes of the Newmills Company is the small sums for which such services could be obtained. In fact the managers maintained good relations with the government by a kind of truck system under which they gave 'presents,' generally in kind. Sometimes it was a length of cloth, sometimes a pair of silk stockings. On larger occasions payments in money were made, as for instance one official received five guineas 'for the great care and pains he had taken' in procuring the first act of the Privy Council in 1685.² The following summary of a resolution speaks for itself—it was represented to the managers that the King's Advocate draws those libels against 'transgressors' (*i.e.* persons who smuggled foreign cloth) wrong because he is not 'informed,' and the meeting decided that a deputation should inform him, at the same time giving him 10 dollars for himself, and his men 2 dollars, and that the company should take care to 'indulge' him in time to come³—evidently the period during which an indulgence could be considered current had been greatly reduced between the Middle Ages and the seventeenth century.

The support of the Privy Council seems to have brought prosperity to the company from 1686 to the Revolution, for considerable orders for the supply of army clothing were obtained. But in the disorganisation of government from 1688 to 1690, the control of the customs was relaxed, and foreign and English cloth

¹ Acts of the Privy Council, 1685, ff. 137, 138, 158.

² Book for the Managers of the Manufactory's Weekly Sederunts, f. 117.

³ *Ibid.*, f. 179.

was again imported. This lapse from the policy of protection was sanctioned by an act of 1690, which granted the magistrates of Edinburgh an impost of 12s. [Scots] per ell on all imported cloth.¹ As against this relaxation of the prohibition of the act of 1681, the company obtained parliamentary sanction of the principle laid down by the Privy Council in 1685 that the army should be clothed in cloth of Scottish manufacture.² It was in this state that the law remained until after the formation of the Darien Company. The latter event was conditioned by economic as well as by political causes, and to estimate the importance of these it is necessary to glance briefly at the development of other industries after the passing of the act of 1681.

Between 1681 and 1690 very few new industries were started. Not only was there some suspicion of the ministry of James II., but the difficulties in obtaining capital and skilled labour remained. After the Revolution an immense impetus was given to Scottish industry, indeed there were more companies that secured the 'privilege of a manufacture' under the act of 1681, from 1690 to 1695 (but more especially in the three years 1693, 1694, and 1695) than in the remaining years between 1681 and the Union. Several causes contributed to this industrial activity. The influx of Huguenots to England had overflowed into Scotland, and thus the deficiency in skilled labour was remedied. It happened too that just at this time there was an extensive promotion of industrial companies in England, and many men of enterprise found Scotland a promising field for investment in view of its comparatively undeveloped industrial condition and the facilities given by the law for the formation of companies, as well as the many privileges and immunities granted to capitalists. This activity was shown by the foundation of a number of new cloth and glass works, an important linen company, known as the Scots Linen Manufacture³ (1693), also silk, baize, stocking, sail-cloth, rope, cordage, pottery, gun-powder, leather, and various iron works were established. The abrupt cessation in the launching of new ventures from 1696 is remarkable. The cause is to be found partly in the collapse of the boom in English manufacturing companies' shares, but still more in the lock-up of capital by the

¹ *Acts of the Parliaments of Scotland*, ix. p. 206.

² *Ibid.*, p. 319.

³ Some account of this company will be found in an article on 'The King's and Queen's Corporation for the Linen Manufacture in Ireland' in *The Journal of the Proceedings of the Royal Society of Antiquaries of Ireland*, xxxi. Pt. 4 (Dec., 1901).

'Company trading to Africa and the Indies,' better known as the Darien Company, which was founded in 1695. This ill-fated undertaking was in fact the key-stone of the whole edifice of Scottish commercial policy. It was the logical outcome of the act of 1681; for, once Scotland prohibited the manufactures of other countries, the retaliation of those countries had to be faced. Therefore, just when Scotland was reaching the ideal that her statesmen had aimed at—namely, the establishment of diversified manufactures under the protection of a series of prohibitions of competitive foreign products, it began to be seen that this advance had been made at the sacrifice of most foreign markets. Now, in the cloth trade the raw material could not be exported under the act of 1681, thus the government had incurred an obligation to find some market for this raw material after it had been manufactured in Scotland. But owing to the policy of prohibitions the markets of all developed countries were closed to Scottish finished goods, and so the policy of protection must either be given up or else a new market found. According to the ideas of the time, the latter alternative might be adopted by the creation of Scottish colonies—and it was this chain of facts that constitutes the true inwardness of the Darien scheme.

It would be interesting to speculate as to what would have happened had the scheme for the colonisation of New Caledonia proved successful. But, altogether apart from the opposition of the English government, the scheme (though remarkably well conceived)¹ was foredoomed to failure. The proposed company was intended to be a rival to existing Dutch and English organisations, and therefore the governments of those countries could not be expected, with the limited political ideas of the age, to sanction the investment of capital in the new enterprise by their subjects. Thus the Darien Company was dependent on the capital it could raise at home, and no more than £400,000 sterling of stock was taken up. Further the directors could not call up more than 42½ per cent. of the amount subscribed, so that they were forced to attempt the almost impossible task of founding a Scottish colonial empire on a capital of under

¹ The original form of the Darien scheme as conceived by William Paterson was one of the greatest commercial ideas of the seventeenth century. It was to make the isthmus of Panama an *entrepôt* for the exchange of Western and Eastern commodities, to which all nations might freely resort. When Paterson lost influence in the Company (before the first expedition had started) the freedom of trade was dropped out of the scheme, and the idea was rather to form a plantation than to establish an *entrepôt*.

£170,000, which was only obtainable in small sums and with considerable difficulty. Now the London East India Company at this date had a capital of £1,488,000, and in 1698 a second company was incorporated with a capital of two millions.¹ Besides, there was the Royal African Company, which in 1697 had a nominal capital of over a million.² So that the Scottish company essayed the almost impossible task of wresting trade and territory from powerful organisations whose combined capitals were more than thirty times as great as that which the Darien Company could collect from its shareholders.

Moreover, even the modest capital of £170,000 called up by the Darien Company was considerably in excess of the resources of the country available for investment at the time. There are data which enable an estimate to be formed of the capital sunk in the manufactures established from 1681 to 1695, and the total amount (an appreciable part of which came from England) was certainly under £200,000. Thus having provided part of this sum, Scotland had to find further resources of about the same amount, in order to make an outlet for the products of the first series of investments. There is little doubt that in the enthusiasm of the early days of the colonial idea, people subscribed for much more stock than they could pay calls upon. In other words, the country pledged not only most of its floating capital, but also much of its available credit on the success of the Darien scheme. This course was magnificently bold, but it left no way of recuperation in the event of failure, and what was tragic in the situation was that only by a miracle could failure have been escaped.

Thus the Scottish protective system culminated in the Darien scheme, and with the collapse of that scheme the extreme policy of 1681 was doomed. In the last years of the seventeenth century, when the country was in a depressed condition owing to a loss of capital it could not afford, coupled with a series of bad harvests, there was a temporary reaction towards a complete protection of the cloth trade. This movement appears to have been conditioned by hostility against England, and by the desire to exact reprisals for the treatment of the Darien Company by the English government. The cloth companies presented several petitions to the Privy Council stating that there

¹ *Charters granted to the East India Company*, i. pp. 140-157, 189.

² 'The Constitution and Finance of the Royal African Company' in *American Historical Review*, viii. p. 257.

was laxity in the administration of the laws prohibiting English cloth, and praying the Act of 1681 should be enforced.¹ Accordingly, in 1699 the exportation of woollen yarn was prohibited again by the Privy Council,² and in 1701 an Act was passed confirming the previous prohibitions of the importing or wearing of foreign cloth.³

The legislation of 1701 represents the completion of the return to the extreme of protectionism, and a reaction was inevitable. Very few foreign markets were open to Scottish cloth, there was now no prospect of a new colonial trade being opened, and so the price of wool was depressed. There were gloomy pictures presented to Parliament of skins and wool rotting for want of a foreign market, and other evidence tends to confirm the conclusion that Scotland produced more wool than could be consumed at home.⁴ Thus the woolmasters had a good case for the repeal of the prohibition of the export of wool, and two years afterwards (*i.e.* in 1703) they were able to secure an advantage in their parliamentary contest with the cloth manufacturers, by obtaining permission to export skins with *the wool on them* from three specified ports. In 1704 the woolmasters promoted an act, which if passed, would have removed all restrictions on the export of wool. The cloth manufacturers protested vigorously. In fact the protection given them had created a series of vested interests which were now imperilled. They urged before Parliament that 'on the faith of former laws, which were even but temporary, they erected manufactories at great charge, and now to bring in an act which entirely overturns them seems to be a hardship the like whereof has been unprecedented.'⁵ In spite of this opposition, the general crumbling away of the Scottish protective system precluded the continuance of encouragement in this form for the manufacturers, and an act was finally passed permitting the exporting of wool, while at the same time the prohibition of foreign cloth was continued.⁶

¹ Parliamentary Papers, 8th Oct., 1696 (General Register House)—'Petition of the Woollen Manufactory at Newmills anent the import of foreign cloth'; Par. Papers, 1698, Minutes Committee of Trade; *Acts of Par.*, x. p. 67.

² Par. Papers (1701), 'Exporting of wool.' ³ *Acts of Par.*, xi. p. 190.

⁴ Par. Papers (1701), 'Reasons against allowing the export of wool.'

⁵ Par. Papers (1704)—Trade and Commerce—'The Petition of the Manufacturers of this Kingdom against the Permission to export wool,' *Acts of Par.*, xi. p. 177.

⁶ *Acts of Par.*, xi. p. 190.

This legislation was a serious blow to the owners of cloth-works, and was characterised as such by Defoe.¹ But the truth was that the country could no longer stand the original protective system, and to escape bankruptcy it was necessary for the government to relax the weight that had been pressing so long on the non-manufacturing industries for the sake of the fostering of manufactures.

The state of the country in the opening years of the eighteenth century would have been less precarious than it was had the nation only to face an impaired state of the credit of its capitalists. But underlying this and connected with it were two chains of events, arising out of the protective legislation of 1681, which threatened the relations between England and Scotland. As yet no details have been given of the retaliation of other countries against Scotland after the prohibitions of 1681 and 1685. England at this time was a great cloth-producing country, and its government resented what appeared to it to be the arbitrary closing of the nearest market. The means of retaliation were ready to the hand of English statesmen; for Scotland had opened up a considerable export trade to England, as early as the beginning of the seventeenth century, in linens.² On Scotland prohibiting English cloth England prohibited Scottish linens. It is said there were from 10,000 to 12,000 persons employed in the linen trade, and the diminution of the output produced much discontent. But at the end of the seventeenth century men who had a grievance did more than grumble. The packmen who carried linen to England continued, in spite of officials, to force their way southwards across the border, and unless the English reprisals were to become a dead letter more drastic measures had to be sought. The border officers took the law into their own hands and treated the Scots packmen as malefactors, imprisoning some and whipping others.³ Surely this is an eloquent comment on the conciliatory effect of retaliation.

Worse troubles were still to come. The Darien scheme had been Scotland's crowning act of protection against England. The first news of the failure of the earlier expeditions had aroused much bad feeling amongst the people, and it seemed an irony of fate that, after the enterprise was a complete failure, the last acts

¹ *History of the Union*, p. 123.

² *The Weavers' Craft*, by D. Thomson, Paisley, 1903, p. 81.

³ Privy Council Records, quoted by Chambers, *Domestic Annals*, ii. p. 421; *Warden's Linen Trade*, p. 428.

of the company should still further embitter the relations between the two countries. The English East India Company¹ had seized the ship *Annandale* belonging to the Darien Company, which had put into the Thames. On the *Worcester*, an English East India ship (which was erroneously reported to belong to the English company), putting into the Forth, the government was urged to retaliate. It abstained from doing so, and after certain events had inflamed the minds of the Edinburgh populace, some private persons seized the captain and part of the crew of the English ship. Charges of piracy and murder were made against them, and in March, 1705, all the accused except one were condemned to death. The indignation excited by this verdict in England may be imagined. The Queen interposed, and the carrying out of the sentence was postponed, but the excitement of the people was so great that the Scottish authorities feared to annul the conviction, and two of the condemned men were executed in April.² It was afterwards clearly established that the men who suffered had not been guilty of the murder attributed to them, so that in this matter there was ground for the hostile feeling that had been aroused in England. Thus in 1705 the direct and indirect effects of commercial retaliation had greatly embittered the relations of the two countries. When there were added the political grievances of Scotland since the union of the Crowns, it will be recognised that the situation was very serious. In London very gloomy views were taken of the outlook towards the end of 1706. These are clearly reflected by the fluctuations of Bank of England stock, which had varied from 138 $\frac{3}{4}$ to 126 in 1703, from 133 $\frac{1}{2}$ to 115 in 1704, from 120 $\frac{1}{4}$ to 87 in 1705, falling in 1706 from 91 to 76 $\frac{1}{4}$. The latter price (which is the lowest recorded for the stock in the early years of the eighteenth century) was quoted at the end of October and during the first days of November. In fact, the year 1706 is the only one (up to 1720) in which the price of the fully paid stock never touched par. On the passing of the Act of Union there was an immediate rise, and in 1707 the price was as high as 119.

¹ There were at this date *two* East India Companies. The oldest, founded in 1600, was generally known as the 'Old' or 'London' Company. Its full title was the 'Governor and Company of Merchants of London trading into the East Indies.' The second company was incorporated in 1698 as the 'English Company trading to the East Indies,' and was popularly described as the 'New' or 'English' Company. It is the latter undertaking which is mentioned above.

² *The Union of England and Scotland*, by James MacKinnon, 1896, pp. 191-197.

The reader will be inclined to ask whether the facts detailed above as to the fiscal relations of England and Scotland have any bearing on the present controversy. It should be noted that the argument from historical events at one period to a different period can only be accepted with some qualifications. There was protection in Scotland of a pronouncedly retaliatory character, and all that can be concluded from the failure of that system (for it was a failure, as will be shown below) is that it affords a presumption against the trial of a similar policy in other circumstances. If, further, the non-success of retaliation recurs in varied conditions, that presumption will be greatly strengthened.

Therefore, to complete the investigation of the Scottish protective system before the Union, it remains to estimate the fruits of that system. The fine cloth trade received the chief attention of the government, and there is information relating to no less than ten works established under the Act of 1681. Three of these were founded from 1681 to 1683, four from 1695 to 1700, and the remainder after 1700. Now, the majority of those had a sufficient time to develop from being infant industries, and if 'the infant industries' argument were valid in this case, it is to be expected that these should, after protection of the most stringent kind varying from 26 years to 7 years, have been sufficiently strong to face the competition of English cloth. This, however, was not so; all these undertakings, with the exception of two, were wound up soon after the Union. Further, the two remaining gave up the production of fine cloth, and contented themselves with the making of the coarser fabrics. Were the Newmills minutes not in existence it would be difficult to suggest the reason that Scotland at the end of the seventeenth century could not produce fine cloth to advantage. The secret lay in the want of raw material—not that Scotland had not wool in abundance—but that the country at that time did not produce the finer quality of wool required for the best grades of cloth. The Newmills company classified cloth as being of three qualities—the first was made of Spanish wool, the second of foreign and home wool mixed, and the third only of home wool.¹ Thus one of the conditions that would have helped to make the

¹ According to a resolution of June 28th, 1682, the master of the manufactory was directed 'befor he make any cloths of the coursest of the wool that he acquaint the managers with itt and get their advice whether to sell itt or make itt into cloth'; and on December 15th the managers ordered that the coarse wool should be sold and not made into cloth.

manufacture successful was absent, and with the high freights and uncertainty of sea transit at the time the industry could not exist apart from Protection.

Further to foster this artificial trade, Scotland sacrificed another branch of manufacture for which the country had at this time great natural advantages—namely, the linen trade. Before the building up of the extreme system of protection and prohibitions, there had been a large export trade in linen. As already shown, on the prohibition of foreign cloth, England retaliated by shutting out Scottish linen. Thus from 1681 to the Union the linen trade was depressed, and it was only afterwards that it again advanced. Had the government not been determined to rival England it would have been wiser to have suffered the nation to develop the linen industry (for which the country had great natural advantages) and, at the same time, the way might have been paved for a subsequent improvement of the cloth trade by first producing a better class of wool. As it was, the slower process of development was thrown aside in favour of one that appeared faster, with the unfortunate results of the Darien enterprise and the consequent strained relations between Scotland and England. Therefore a careful investigation of the tendencies of the time has shown that Scottish protection in the seventeenth century failed in achieving the object desired, while the retaliation it involved nearly produced a war between the two countries now so closely united.

Such events are far from bearing out the reading of history proposed by Mr. Balfour in the quotation with which this article opens. In the first place there was no customs union existing before the Union of 1707, in fact so far is this from being true that in the early years of the eighteenth century there was a fiscal war between the two countries; and, instead of there being free trade, the series of prohibited commodities tended towards there being no trade at all from England to Scotland and *vice versa*. Therefore it is in no sense true that *in time* fiscal preceded political union.¹ It may be that Mr. Balfour intended to convey the idea that the main cause of the union was commercial rather than political, or in somewhat scholastic language fiscal 'preceded'

¹ It may be added that Mr. Balfour ignores the efforts towards a political Union before 1707. In this connection it is only necessary to refer to the proposals of 1547, the Commission of 1604, the united Parliament during the Commonwealth, the Commission of 1670 (which accepted political, but refused to admit fiscal union), and finally the overtures in the reign of James II.

political union *in the logical order*. If this be his meaning it is to be remembered that, as already shown, while the foundation of the Darien Company was originally due to industrial conditions, the existence of that company soon involved political issues of the greatest magnitude. Thus, commercial and political causes became blended together, and any attempt to assign a quantum of importance to each would be a matter of great difficulty. Besides to establish Mr. Balfour's position it should be proved that the two countries had been gradually drawing closer in their commercial relations, whereas on the contrary they had been becoming more and more antagonistic. Therefore since a union was possible under such circumstances, it follows that there must have been an underlying community of political interest, which is to be found in the necessity of making good the revolution settlement, and to maintain the position of England and Scotland together as against France.

Again it may be that Mr. Balfour means that, although the fiscal and political union came into existence together, the people of Scotland accepted the former more readily than the latter. This again is a misapprehension of what actually happened. For a considerable period after the Union there was very great dissatisfaction with the fiscal side of the bargain, so that it cannot be said the latter was accepted and recognised with less friction than the former. Thus on the whole it cannot be established that 'fiscal union was the prelude to political union' in the case of Scotland either before or after 1707.

Nor can one assent to Lord Rosebery's picturesque description of the cause of the Union, namely that 'Scotland was starved and coerced into it by England.' Probably the reference here is to the effect of the English Navigation Acts in the last quarter of the seventeenth century. But it must be admitted that, however hardly these laws may have pressed on Scotland, the demand for the admission of Scottish shipping to the English colonies was premature. These colonies and dependencies had been founded by English capital and English enterprise. Besides, the age was one dominated by the idea of the 'exploitation of colonies,' and, just because there was such exploitation, each fiscally independent country jealously guarded the monopoly of it. In fact, once Scotland had entered on a policy of extreme protection, more especially after 1661, it is probable, while admission to the English colonies would have been desired, there would have been very great opposition to the opening of the

Scottish market for free importation of English commodities. It was necessary that once a protective policy had been adopted it should work itself out to its logical outcome.

It might indeed be said that Scotland, feeling herself, as the people believed, unfairly or hardly treated by England, was justified in vindicating herself by reprisals. From this point of view, Scotland's side of the tariff war with England constitutes one of those episodes which for their daring makes her military history of so much interest. During the period between the middle of the seventeenth century and the Union, Scotland with comparatively meagre available capital resources endeavoured to overtake England in manufacturing. Now, as far as this ideal involved the development of the country it was most praiseworthy, and as already shown the early progress of the linen trade is a case in which the policy would have yielded happy results. Under normal circumstances England was disposed to give encouragement to industries that did not compete directly with her own in Scotland and Ireland. For instance, in a King's and Queen's Letter addressed to the Irish government on July 7th, 1698, it was stated that the linen trade was profitable both to Ireland and England, and that steps should be taken to encourage it in the former country.¹ Probably similar concessions would have been accorded to Scotland (as was done, indeed, after the Union) had it not been for the tariff war between the two countries. As it was, when Scotland went further and endeavoured to exclude most English manufactures, the policy became one of aggression. The country was too little developed and its capital resources were too small to make the issue successful. While England suffered considerably, Scotland suffered very greatly. Just as in a military contest between two nations, the penalty of defeat is to be incorporated into one state together with the conquering country, so in this case after the tariff war, Scotland, suffering from financial exhaustion, had to become commercially one with England. If for no other reason the capital provided by the Equivalent was needed to give the country a fresh start, and it required many years to repair the damage done to Scottish trade from 1681 to 1707.

In view of these facts there was no continuous English policy 'to force Scotland into a union with England.' On the con-

¹ State Papers, Public Record Office, Dublin—King's and Queen's Letters—under July 7th, 1698.

trary, in so far as Scotland endeavoured to exclude the products of well-established English industries, the effect of this policy together with the resulting retaliation was that Scotland virtually, from the commercial point of view, 'starved and coerced *herself*' into such a position that a political union was the best way of escape from a situation that was a very difficult one. Thus it may happen that between nations, as between undertakings in the same country, competition often ends in combination.

W. R. SCOTT.

Scottish Officers in Sweden

THE history of the connection between Scotland and Sweden during the sixteenth and seventeenth centuries is still to be written, and when a competent historian undertakes the task his work will not languish for lack of materials.

The influx of Scots to Sweden began after the troubles following upon the renunciation of the Danish yoke, when Gustavus Wasa firmly established his new dynasty on the throne, and the connection between Sweden and Scotland no doubt became closer when Gustavus' son, Erik XIV., courted the hand of Mary Queen of Scots, then the newly widowed Queen of France, first for himself and then—as he found it injured his contemporaneous suit of Elizabeth of England—for Duke John, his brother.

When John had, in 1568, succeeded in deposing his brother Erik and had gained the throne of Sweden for himself with the title of King John III., he professed himself full of friendship and regard for the Scottish nation. We are told that he could 'speik and onderstand guid Inglis'; we find Sir Andrew Keith of Forssa, a Scotsman very high in his credit, 'in sik favour and estaitt as nar hes ony stranger in this cuntrie been in the lyk,'¹ and it was he who employed, in 1573, the first body of Scottish mercenaries in Sweden whose conduct scarcely redounded greatly to Scottish fame.

In that year a Scoto-French adventurer, Carolus de Mornay, brought over to Sweden 3000 Scots whom he had enrolled to serve in the army of Sweden in Esthonia against the Russians, but Mornay seems to have been not only an adventurer but also a secret agent (he had been a favourite) of the deposed King Erik, and his force, while professedly enrolled under John III., were really conspiring to dethrone him, and restore the kingdom to his brother.

¹ *Register of the Privy Council Addenda*, pp. 344, 7.

The chief Scots under Mornay were Archibald Ruthven of Forteviot, a brother of Lord Ruthven, the Lord Treasurer,¹ who had been specially recommended to the King of Sweden by the Regent Mar in 1572—only one year before—and Gilbert Balfour of Westray,² a noted intriguer. Balfour had had many vicissitudes. At one time the creature and then the enemy of Bothwell, he had been implicated also in the murders of Cardinal Betoun and Darnley, and was one of those whom Knox characterised as 'Men without God.' Mornay and the Scots leaders began soon after their arrival to conspire to release Erik, and they made a secret compact to seize the person of King John when he and his courtiers were to be engaged in watching the Scots perform their national sword dance. The plot failed owing to the timidity of the leaders at the critical moment, and the regiment of Scots was drafted off to Leiffland. The conspiracy was discovered a year later when the Scots became embroiled with the German mercenaries, who betrayed them to the King. Mornay was summarily beheaded, while the Scottish leaders were placed in durance in the hope that certain 'treasure' they were believed to have secreted would be discovered.

At last, however, the Swedes lost patience with Balfour, who was impatient of his bonds and eager to escape from prison, 'yit he of new committing huredom in our castell . . . and syn did pretend to heff stolen away, did forfaltt his lyff, and thairfore we causit executt him,'³ which was done in August, 1576.⁴ Ruthven was more lucky, as he was spared on the intercession of the King of Scotland. Sir Andrew Keith, the King's Scottish favourite, had a low opinion of him, saying that though they had 'giffen him his lyff' yet 'as to wagis he has deservit nane he wan us nather Castell, toun, nor battall,' and had yet received 'Four and thrattie thusand dollouris.' King John alleged that he had 'ressaveit rathir damage and hurt be ye armes of Scotis' in Leiffland 'for the qlk cawss ye sayid King thinkis ye sauld be absolut of all sowmes of money he is awand' to Ruthven and his followers, and Ruthven's fervent protests against this decision are in the British Museum.⁵ The

¹ *Register of the Privy Council Addenda*, pp. 344, 7. He is styled by Sir Andrew Keith 'Maister of Ruthven' also.

² Schiern's *Life of Bothwell*, p. 300 n. ³ *Reg. Privy Council Add.*, p. 345.

⁴ Testament in the Commissariat of Edinburgh.

⁵ Addit. MSS. 38,531, ff. 133-150.

indignant Keith calls another of the Scottish conspirators, Gawane Elphinstone, 'ane craftie willane,' and says that his compatriot's evil doings have brought grey locks into his hair 'althocht I be jung.'

This exhibition of Scottish faith does not seem to have disenchanted the Swedes. The power of Sir Andrew Keith was always employed for the good of his fellow-countrymen, 'yit knowis God,' he writes, 'quhat I heff done for thame and dois daylie and maist for luiff of my natiff cuntrie,' and they continued to pour into Sweden, and into Denmark also, although the two countries were often at war; and multitudes were worthily placed in places of high trust in the army of Sweden, where their descendants form no inconsiderable portion of the nobility of the country.

Always at war with Denmark, or the maritime provinces of Russia, Sweden was greedy for soldiers, and not always particular how they came into her service. Sweden willingly bought and employed the wretched Irish who were deported in thousands to make way for the Scottish Plantations of Ulster, though a very small moiety escaped this fate by being landed by shipwreck in Scotland, where the starving men were forced to commit many depredations, and, not content with them, 'the wearis' of Sweden necessitated levies of an unlawful kind being made in Scotland also. In 1609 we find Colonel William Stewart of Egilshay,¹ brother to the Earl of Orkney, and appointing his 'trustie frend,' Captain John Horie² (Ury), 'in whose approved valure and experience in warrs I have a speciall confidence,' his Lieutenant Colonel. In 1611 in the war against Denmark, General Rutherford, his Lieutenant Learmonth, Captain Greig, and Greig who commanded the artillery, were employed with a regiment of eight or nine companies, and in 1612 one Samuel Khebron³ (Hepburn ?) commanded a regiment of Scots in Sweden which included Sir Patrick Ruthven, who eventually, after a long career of war, died as Earl of Forth and Brentford.

But all these levies did not leave Scotland without protest. King James VI., whose desire was to be *Rex Pacificus* of the

¹ He was a natural son of Robert, Earl of Orkney, and was in 1600 accused of the 'schamefull and cruell murther of — Bellenden his first spouse' (*Reg. Privy Council*, viii., xciv.). A William Stuart raised another company of footmen in 1611 'to his great losse' (Mitchell's *Scottish Expedition to Norway in 1612*).

² *Ruthven Correspondence* (Roxburghe Club), p. 151.

³ *Ruthven Correspondence*, vi. n 3.

north, found that his subjects were being, without his consent, employed in Sweden against his brother-in-law the King of Denmark, and he issued a series of angry letters to his Privy Council that he 'misliked some dulness of theirs,' and commanded them to stop the levies on account of the serious trouble the recruiting agents were giving by impressing men, 'quhilk being ane abuse intollerable and not hard of in a free kingdome,'¹ and inducing justices to hand over to them condemned criminals. And so real did his indignation show itself that in 1612 Captain Andrew Ramsay, a brother of the King's favourite, Sir John Ramsay, and his recruiting agents were tried for kidnapping and impressing men to serve in Sweden, laid under heavy bail, their ships searched and the captives they contained released. It was during this time that, knowing the King's command, a body of some few hundreds of Scots, levied by Andrew Ramsay, left Caithness secretly under the command of his brother, Colonel Alexander Ramsay, Captain Ramsay, Captain Hay, and Captain George Sinclair, landed on the coast of Norway, intending to march through it to Sweden, but were trapped, and stoned or shot down by the Norwegian bönder from the mountain heights of Romsdal and Gudbrandsdal in August, 1612, and only a few escaped with their lives. Their leader, Alexander Ramsay, was sent back to his country, and he and his surviving companions forgiven, while Andrew Ramsay, on whom the blame of the expedition fell, went into hiding. At length being traced by fighting a duel in England with Sir Robert Kerr of Ancrum, whom he accused of informing the King of his design of 'gathering men in Scotland,' he was examined and banished, 'which next unto death,' wrote the King, 'is the highest punishment we could inflict.'

Another Scot now filled the position of Sir Andrew Keith. This was Sir James Spens of Wormiston, in Fife, who had originally gone to Sweden to discuss a project of marriage between the young Prince Gustavus Adolphus and his master's daughter, the Lady Elizabeth Stuart, who afterwards became 'The Winter Queen.' He entered the service of Sweden, and took kindly to the land of his adoption, and was often employed sometimes as Ambassador from Britain to Sweden and sometimes from Sweden to Britain, and during his time we find the appearance of many Fifeshire names in the Swedish ranks—showing

¹ *Register of the Privy Council*, cited in Mitchell's *Scottish Expedition to Norway*, pp. 160-172.

that he was regarded as a protector and promoter of the interests of his kith and kin.

In 1623 the treachery of Robert Stuart in the Swedish service had a far-reaching effect. He was another brother of the attainted Earl of Orkney, and is elsewhere styled Sir Robert Stuart of Middleton.¹ From the Swedish army he went over to the Catholic side, joining Sigismund, King of Poland, who was perennially attempting to recover his lost kingdom of Sweden for himself and the Papacy, and he undertook to levy for the Polish service 8000 Scots.

Gustavus Adolphus at once took fire. Representing the Protestant interest, he wrote on 23rd September, 1623, to the Scottish Privy Council informing them of the treachery, pointing out the likely danger to the Protestant cause, and implored King James to allow him to levy troops in Scotland instead. He sent his 'faithful friend,' Sir James Spens, to urge his request, and he was successful in persuading the King to grant it. James VI. agreed, and issued a warrant, which was confirmed by the Privy Council on 30th March, 1624,² allowing and empowering James Spens, junior, the son of the Envoy, to levy as many as 1200 men for service in Sweden.

But this did not wholly satisfy the need of the Swedish King; the Catholic League drove him again to apply to recruit his armies by fresh levies, and King Charles I. after his accession became, though not without deliberation, his ally. Charles I. in all issued during his reign six warrants to permit the King of Sweden to levy men to carry on war against the Emperor, and if his officers and agents were at all successful in obtaining them, as many as 12,600 Scots must have entered the Swedish army. Into long details of the Thirty Years' War we need not enter here; but it may be as well to point out that, besides the forces raised directly for Sweden, Gustavus took over the Reay Regiment and the Scots Regiment in the service of Denmark as well. His Scottish regiments included every rank of Scots: nobles, the landed gentlemen and their dependents, 'pressed

¹ King James VI. in a letter to — Stallenge commends the suit of Sir Robert Stuart, brother of the Earl of Orkney, in 1604 to Elizabeth, daughter of the late Christopher Kenne, his ward. As late as 1650, there is among the 'many solicitors' for the King of Scotland in Sweden a Sir Robert Stuart, 'sometime prisoner here and broke out of Whitehall' (*Cal. State Papers—Domestic*, vii. No. 26-A. *Ruthven Correspondence*, ii.).

² *Register of the Privy Council*, vol. xiii. p. 478.

men,' a class which comprised many unfortunates of every class, from musicians,¹ whose presence was found necessary, down to 'sturdy rogues' and 'beggars.' These when caught were guarded with great 'fascherie' and conveyed to the transports and 'schippit in als gryt heast as possibly can be' with their voluntary companions, and all dispatched to spend their lives in the service of a foreign power in the German wars; but whatever was the reason of their enlistment, they left a long and honourable list of names among the many foreigners whom Sweden has adopted, ennobled, and taken to herself.

A. FRANCIS STEUART.

¹ These musicians for the German wars are interesting. Lord Ogilvy writes in 1627 to Lord Nithsdale that he sends an Irishman, 'a clachocher,' 'quha pleyis verie weill,' and William Porter, 'quha pleyis excellentlie upon the recorder and will be ane fyne pifferer to this compenie,' one too, who 'pleis weill upon the wirgenelis' and a 'ressonable fyne drumer' (*The Book of Caerlaverock*, vol. ii. p. 91).

The Bishops of Dunkeld

Notes on their Succession from the time of Alexander I.
to the Reformation

KEITH'S *Large New Catalogue of the Bishops of the several sees within the Kingdom of Scotland* (1755) was a remarkable book in its day, and must always remain a monument of laborious and careful research. Dr. M. Russel's edition of this work (1824), which, unfortunately, while correcting some errors, imported many others, has up to the present been the main authority used by historians and charter-students for determining the succession of the bishops of the medieval period. Valuable as it is, historical material which has become accessible in more recent times demands a thorough revision of Keith. Much that tends to accuracy has been brought to light by the publication of the registers of bishoprics and religious houses in the issues of the Bannatyne, Maitland, Abbotsford, Spalding, Grampian, and New Spalding Clubs. Scottish Public Records have also become more easily accessible.¹ But it has been the publication of Theiner's *Monumenta* and the *Calendar of Papal Registers* (of which five volumes have already appeared) which has done most to supply particulars for the correction and enlargement of Keith.

In dealing with the diocese of Dunkeld one naturally turns to Myln's *Vitae Dunkeldensis Ecclesiae Episcoporum*. But, unhappily, while of real value when treating of the bishops near his own time, this work is worse than useless for determining the succession of the early bishops of the see. It is careless, confusing, and positive in tone when it ought to have been hesitating and conjectural. It is often demonstrably wrong.

The main object of these Notes is to determine the dates of the election, papal confirmation, consecration, death, or resignation of

¹ One hopes that the *Privy Seal Register*, still in MS. in the Register House, may appear in print before long.

the successive bishops, when evidence is forthcoming. Hence record or charter evidence relating to intermediate periods is either not noticed at all, or touched only lightly, except when anything of special interest seems to deserve observation.¹

The principal abbreviations used in citing authorities are as follows: A.P. = *The Acts of the Parliaments of Scotland* (Record edit.); B. = Brady's *Episcopal Succession*, vol. I. (Rome, 1876); B.C. = *Calendar of Documents relating to Scotland, preserved in H.M. Public Record Office, London*, edited by Joseph Bain; C.P.R. = *Calendar of Papal Registers*, edited by W. H. Bliss (Record Publications); Extr. = *Extracta e variis cronis Scocie* (Abbotsford Club); Fæd. = Rymer's *Fædera, conventiones*, etc.; K. = Keith's *Historical Catalogue of the Scottish Bishops* (Russel's edit. 1824); M. = *Chronica de Mailros* (Bannatyne Club); R.A. = *Registrum Episcopatus Aberdonensis* (Spalding Club); R.B. = *Registrum Episcopatus Brechinensis* (Bannatyne Club); R.G. = *Registrum Episcopatus Glasguensis* (Bannatyne Club); R.M. = *Registrum Episcopatus Moraviensis* (Bannatyne Club); R.P.S.A. = *Registrum Prioratus Sancti Andree* (Bannatyne Club); R.M.S. = *Registrum Magni Sigilli Regum Scotorum* (Record Publications); R.S.S. = *Registrum Secreti Sigilli* (in MS. in the H.M. General Register House, Edinburgh); Sc. = Fordon and Bower's *Scotichronicon* (Goodall's edit. 1759); T. = *Vetera Monumenta Hibernorum et Scottorum historiam illustrantia* (Rome, 1864). The Registers of religious houses are cited by the name of the house: thus 'Melrose' = *Liber de Melros*, 'Kelso' = *Liber S. Marie de Calchou*, and so with the rest. W. = *The Orygynale Cronykil of Scotland*, by Andrew de Wyntoun (David Laing's edit. 3 vols. 1872-79).

In the headings of paragraphs the names of bishops elect who were not consecrated, or whose consecrations are doubtful, are printed in italic capitals.

For the early Columban foundation at Dunkeld and the bishop of the Picts there resident see Skene's *Celtic Scotland* (ii. 370).

The see seems to have been revived by Alexander I., but evidence is lacking to determine the exact year.

CORMAC. We find 'Cormac bishop' (see unnamed) witnessing the foundation charter of Scone, which monastery was founded in 1114 (Fordun, i. 286, Skene's edit.) or 1115 (M.). This is probably Cormac, bishop of Dunkeld; at least we know no other bishop named Cormac at this period. Again, Cormac (see still unnamed) witnesses another charter of the same monastery together with 'Robert elect of St. Andrews' (Scone, No. 4). The charter is granted by King Alexander. But Robert appears to have been elected in 1124 (M.), while the king died towards the end of April, 1124.² We find 'Cormac bishop of Dunkeld' between (probably) 1127-1129 (Dunfermline, 4, 16). But we have a dated charter in the *Book of Deer* (93), which records a grant by Gartnait, son of Cainnech, and Ete,

¹The writer will be grateful for corrections and additions bearing on the dates of accession, consecration, and death.

²For a discussion on the exact day of Alexander's death see Dunbar's *Scottish Kings*, 54-56.

daughter of Gille Michel, to Cormac, bishop of Dunkeld (*éscob dunicallen*), in the eighth year of David's reign (that is the year ending 22 April, 1132).

The date of Cormac's death is unknown.

The absence of the name of his see in the Scone charters leads me to suspect that Cormac may have been, at the date of these charters, a bishop without a see, in one of the monasteries of Celtic foundation.

GREGORY. He was bishop 'de duncallden' in the reign of David, a charter of whom he attests together with Andrew, bishop of Caithness (*Book of Deer*, 95). He also attests a charter of David which must be dated between 1147, when Herbert bishop of Glasgow (witness) was consecrated, and 1153 when king David died (*Dunfermline*, 8).

'G. Duncheldensi' appears among the bishops of Scotland addressed in the bull of Adrian IV, 27 Feb. 1155.¹

Gregory, bishop of Dunkeld, is a witness together with Richard 'elect of St. Andrews' (who was elected in 1163) to a charter of Malcolm IV, in the eleventh year of his reign, *i.e.* in the year ending 23 May 1164. (*Scone*, 7.)

The date of Gregory's death is given by Sc. (vii. 60) as 1164; but elsewhere (viii. 13) as 1169. This discrepancy may arise from the ease with which MCLXIV and MCLXIX might in transcription be confused. With 1169 Myln (5) agrees.

From what has been said about his predecessor it is obvious that Gregory did not, as alleged by Myln, hold the see for about 42 years. It must be remembered that Myln, who is followed by Keith, makes Gregory the first bishop of this see.

[?? **HUGH.** In R.A. (i. 12) we find 'Hugone Dunkeldensi episcopo' among the witnesses to a charter of king William, in his fifth year, *i.e.* the year ending 8 Dec. 1170. I suspect that this charter, like some others in the opening of R.A., is either a forgery, or has been seriously tampered with, for among the other witnesses are 'Joceline, bishop of Glasgow,' who was not elected till 23 May, 1174 (M.), and 'Ricardo Moravie,' while Richard was not elected to Moray till 1 March, 1187 (M.). Again, Hugh, abbot of Neubottyl, is a witness, who could not have succeeded earlier than 1179 (M.). It should be noted that in the charter 'Hugone de Sigillo, clerico meo' appears also among the witnesses. I am not aware that a Hugh, bishop of Dunkeld, appears elsewhere before Hugh de Sigillo. If he existed at all, he could have been bishop for only a few months: see last entry and the next.]

RICHARD (I.) styled by Myln (9) 'Richard de Prebenda': but probably through confusion with Richard, the second of that name. He was 'capellanus Regis Willelmi' (M. s. a. 1170), and had perhaps been chaplain to William before he came to the throne. (See the Coldingham charter cited by Dalrymple, *Collections*, 322, where we find a Richard 'capellanus comitis Willelmi'.)

He was consecrated on the vigil of St. Laurence (the feast falls on 10 Aug.), 1170, in the cathedral church of St. Andrews by Richard, bp.

¹ The best text of the bull is printed in Haddan and Stubbs' *Councils*, vol. ii. part i. 231.

of St. Andrews (M.). The vigil fell in that year on a Sunday, which fact, so far forth, is a confirmation; for the common law of the Church was that bishops should be consecrated on Sunday. Myln (6) is certainly wrong in making him die in 1173, for he was in Normandy in December, 1174, at the time of the treaty of Falaise (Fœd. i. 30: Sc. viii. 24). On the contrary M. (s. a.) and Sc. (viii. 25) place his death under 1178. Myln says he died at Cramond (in Midlothian), and was buried in the island of Inchcolm (in the Forth).

Myln, who omits altogether Cormac, the first bishop, places a Cormac as the immediate successor of Richard, and gives his death as 'about 1174.' This will not fit in with the better authenticated list derived from M. There seems no good evidence for placing (as K.) another Gregory after the Cormac who is supposed to have succeeded Myln's Cormac.

That Richard I. died in 1210 (*Extr.* 75) is obviously wrong, the error arising from a confusion with Richard II. (see below).

WALTER DE BIDUN, 'clericus regis,' 'cancellarius regis Scottorum,' elected to Dunkeld, 1178 (M.). So too Bower (Sc. viii. 25). Myln speaks of him as consecrated, which may be doubted, and seems to have held that he died the same year. At least his statement is open to that interpretation, and it has been so understood by Chalmers (Caled. i. 712) and by Grub (i. 301).

The language of M. is as follows: 'Obiit Gaufridus abbas de Dunfermelin, et Walterus de Bidun cancellarius regis Scottorum, ecclesie de Dunkelde electus.' I take the meaning of this to be that Walter elect of Dunkeld died in 1178. But for our previous information as to the death of Richard in 1178 we should not be justified in considering Walter as elected in this year. As it is, it seems that he was elected and died in the same year, and had not been consecrated. Examples of two deaths introduced by the word 'obiit' will be found in M. s.a. 1152, 1153.

The see seems to have been void till 1183.

JOHN (I.) 'cognomine Scotus,' who had been elected to St. Andrews in 1178, and consecrated on June 15, 1180, failed to obtain possession; and he and his rival Hugh having both resigned their claims into the hands of the pope, John, who had been elected *concorditer* to Dunkeld, was confirmed by the pope to that see (Sc. vi. 40). It is not stated when John was elected to Dunkeld.

It was during his episcopate that the diocese of Argyll was cut out of Dunkeld at the desire of John. This was probably about 1200.

To the charter evidence cited by K. may be added that of his witnessing the quitclaim of subjection granted by O[sbert], abbot of Kelso, to Guido, first abbot of Lindores: see *Chartulary of Lindores* (284). This was probably 1191-1195. He was a papal judge-delegate in 1193 (R.G. i. 68). He consecrated Reinald, bp. of Ross, 10 Sept. 1195 (M.). See also R.G. i. 66; North Berwick (7); and Melrose (85, 86, 113, 114).

He died in 1203 (M.), having on his death-bed at Newbottle taken the habit (Sc. vi. 41). He was buried in the choir of Newbottle on the north of the altar (*ib.*).

RICHARD (II.) DE PREBENDA, 'clericus et cognatus domini regis (Willelmi)' succeeded in the same year as John's death,—1203 (M.).

There is a commission from Innocent III. to determine a cause between R[ichard], bp. of Dunkeld and the Prior of St. Andrews relative to the church of Meigle (R.P.S.A. Preface, xlii) : this seems to have been about 1207.

See Dunfermline (96) for between 1204-1210.

Richard died in May, 1210 (M. : Sc. viii. 72) : and according to Sc. (viii. 75) 'about Easter.' Easter fell in this year on 18 April. According to the last authority he died at Cramond, and was buried at Inchcolm (*apud insulam Emoniam*).

It is a gross error of Myln to make 'John de Lancaster' follow John the Scott, omitting this Richard altogether. We have seen that he gives the name 'de Prebenda' to the first Richard.

JOHN (II.) ('de Leicester,' Myln and Sc. ix. 27) archdeacon of Lothian.

There was a 'J.' archdeacon of Lothian present at the Council held at Perth in 1201 by the Cardinal Legate (R.G. i. 81).

Elected on St. Mary Magdalene's Day (22 July) 1211 (M.). 'J elect of Dunkeld' witnesses a deed of William, king of Scotland, doing fealty to John, king of England, 1212 (Fœd. i. 104).

John died 7 Oct. 1214 (M.). *Scotichronicon* (ix. 27) gives the same year for the death of 'John de Leycester, bp. of Dunkeld,' and adds that he died at Cramond, and was buried at Inchcolm, like his predecessor. His bones were translated to the south of the newly-erected choir of the church of Inchcolm, close to the altar, in 1266 (Sc. x. 21).

HUGH (Hugo de Sigillo : 'dictus de sigillo' (M.) : clericus de sigillo). He had been clerk of King William (R.G. 92 : Scone 30). The charter cited from R.G. is dated by Cosmo Innes 1212-1214. He succeeded to the see apparently in 1214 (M.). He gave benediction to Ralph, newly elected abbot of Melrose, on 29 Sept. 1216. He is bishop of Dunkeld 24 June, 1224 (Neubottle 92). H. is bp. of Dunkeld in 1226 (Dunferml. 135) ; and in 1227 (Dunferml. 135). Hugh died in 1228 (Sc. ix. 47), 'vir mansuetissimus, qui dicebatur pauperum episcopus.' Myln, who in the matter of the length of his episcopate is very far astray, may perhaps be correct as to the *day* of his death which he makes 6 Jan. He may have found this to be marked as his obit in some of the registers of Dunkeld. The compiler of *Extracta e variis cronicis* (93) gives 1229 as the year of Hugh's death, which probably is correct, the year being 1228-29.

Hugh speaks of 'John, Richard, and John, our predecessors' (Inchaffray, 69).

MATTHEW SCOT (made chancellor of the king (Alexander II.) in 1227 (M.)). Boece (*Epis. Aberdon. Vit.* 11, New Spalding Club edit.) says that the clergy and people of Aberdeen postulated Matthew, chancellor of the kingdom with common consent ; and that he had scarcely assented when he learned that his accepting Dunkeld, which was offered to him 'omnium suffragiis' would be especially pleasing to the king. He accepted Dunkeld. He died before consecration in 1229 (Sc. ix. 47).

GILBERT, chaplain to Bishop Hugh (Sc. ix. 47), appointed (?) 1229.

He was, presumably, the unnamed bishop of Dunkeld to whom Gregory IX. wrote (22 May, 1235) granting permission to raise the priory of Inchcolm in his diocese into an abbacy, and to give to the monastery, with the consent of his cathedral chapter, a portion of the revenues of the see, which had become augmented in his time in *centum marcharum argenti* (T. No. 78).

Gilbert died in 1236 (M.) and was buried in the monastery of Inchcolm (in the Forth) on the first Sunday after Easter (*dominica in albis*), which in 1236 fell on 6 April (Myln, 9).

GEOFFREY (Galfredus de Liberatione (Sc. ix. 52). Gaufridus), Clerk to the king (Alexander II.): canon of Dunkeld (T. No. 85): Precentor of Glasgow, 21 Feb. 1236 (Melrose, ii. 667). Elected 1236 (M.). 'G' is still elect of Dunkeld on Dec. 3, 1236 (Melrose, 185, 230).

Gregory IX. wrote, 6 Sept. 1236, to the bishops of Glasgow, Dunblane, and Brechin to examine the *postulation* of Geoffrey by the dean and chapter of Dunkeld, and, if satisfied that the postulation had been canonically celebrated and the person fit, to dispense him for defect of birth, he being *de soluto et soluta genitus*, to take the oath of fealty to the Roman See, and to consecrate him. The postulation had been represented to the pope as made *concorditer* (T. No. 85). The result was favourable to Geoffrey.

Geoffrey declares that 31 Dec. 1238 was in the third year of his pontificate (Inchaffray, 71). This shows that he must have been consecrated soon after the receipt of the pope's letter. He speaks of having inspected charters of his predecessors 'the first John, Richard, the second John, Hugh, and Gilbert.' This is valuable as pointing to the order of the bishops of Dunkeld.

In 1238 Geoffrey was postulated to St. Andrews,¹ but the postulation was disapproved of by the king and not confirmed by the pope (Sc. vi. 42: T. No. 100: Wyntoun, ii. 244). See what is said of this under St. Andrews in my paper in the *Journal of Theological Studies* (iv. 603).

According to Myln (10) Geoffrey made a new erection of his cathedral 'ad instar ecclesiae Sarum,' introduced the 'cantus Gregorianus,' added to the number of the canons, made provision for the endowment of new canonries, and enacted that none but canons continuously resident should share in the *communiæ canonicorum*.

He was appointed with William, bp. of Glasgow, by Gregory IX. (11 June, 1337) to deal with the impoverished state of the see and cathedral of Dunblane (T. No. 91; Inchaffray, pp. xxix-xxx).

Geoffrey, with other bishops, swore to acknowledge the subjection of Alexander II. to Henry of England in 1244. (Fœd. i. 257).

Geoffrey was present on the occasion of placing the child Alexander III. on the throne at Scone, 13 July, 1249 (Sc. x. i.). A few months later he was dead. He died at Tibermure (Tippermure) on St. Cecilia's day

¹ Probably after 1 July, 1238, for he is styled simply bishop of Dunkeld at that date. *Red Book of Menteith*, ii. 326.

(22 Nov.), 1249, and was buried in the cathedral of Dunkeld (Sc. ix. 63 : Myln, 10-11). His epitaph as given in Sc. reads :

‘Hac Dunkeldensis cleri decus, aegis, et ensis,
Gaufridus tumba pausat, sub patre Columba.’¹

We find (as has been stated) ‘G. electo Dunkeldensi’ on 3 Dec. in 22nd year of Alexander, *i.e.* 1236 (Melrose, i. 185 and 230). This taken with what has been said above points to his having been consecrated between 3 Dec. and 31 Dec., 1236. Charter evidence after his consecration is frequent.

After the death of Geoffrey, Myln inserts one whom he calls ‘Richard the king’s chancellor,’ who lived only one year, and died at Cramond, and was buried at Inchcolm in 1250. One cannot but suspect that he has confused the name, and that the person he means was David, whom he omits, but of whom we have authentic evidence ; but an error as to the name is possible : some contraction of ‘Richard’ being mistaken for David.

DAVID, Elect of Dunkeld.

King Alexander grants a charter to the burgesses of Inverness, dated at Scone, 3 Dec. anno regni 2. ‘Test. David electo Dunkelden, David abbat de Neubotill, Alano hostiario justiciario Scotie, et Gilberto de Haia’ (R.M.S. ii. No. 804). The witnesses show that Alexander must be Alexander III. ; the date therefore is 3 Dec. 1250. So far as I know this is the only notice of this David. There was a bishop of Dunkeld (unnamed) on 30 Aug. 1250 (C.P.R. i. 261). The notice of this person is of some value as showing that Bower (Sc. x. 3) may be wrong in making Richard of Inverkeithing advanced to the bishopric of Dunkeld in 1250, though that is just possible if the year be taken as closing on March 24, 1250-1.

J. DOWDEN.

¹ Myln reads ‘Hic’ for ‘Hac.’

(To be continued.)

Reviews of Books

A LITERARY HISTORY OF SCOTLAND. By J. H. Millar, B.A., LL.B., Balliol College, Oxford. Pp. ix, 703, demy 8vo, with Frontispiece. London: Fisher Unwin, 1903. 16s.

'THE Library of Literary History,' to which series Mr. Millar's volume of seven hundred pages belongs, undertakes to tell, for each nation, the history of its intellectual growth and artistic achievements. Mr. Millar is the latest to essay the task of interpreting to the world the mind of his country as displayed in her literature. We have had her picturesque episodes treated by the arid and the flippant historian, her social life depicted with kindly sympathy or monocular cynicism, her literary great ones presented with painstaking accuracy or brutal frankness. Mr. Millar approaches his arduous task with the desire to eliminate all constitutional prejudice or bias on his part, as tending to unfair treatment of men with whose temperament and habits of thought he might find himself in imperfect sympathy. But his attitude and methods are far from being those of the ideal historian, who ought in fairness to apply to the past the standards of that past, reserving for himself the rôle of illuminating for us its facts and tendencies under the light of his own imaginative insight and balanced judgment. His method, stated broadly, is encyclopaedic rather than philosophic. His thorough index shows nearly six hundred names of literary Scots, whose comparative eminence, of course, tails off to the minute proportions of a foot-note.

Mr. Millar is nothing if not 'modern.' On the 'Huchown' problem the freshest he has to say is that this elusive 'makar' might pass for 'the first illustrious specimen of that much-vilified person, the Anglified Scot.' The patchwork of honest John Barbour he disposes of in this fashion. 'It may be after all that the text of Brus was "faked" by some not unskilful scribe in the fifteenth century.' Lindsay's 'Satire' again, 'looks like an interesting anticipation of the great doctrine of efficiency.' When he comes nearer to his own time the trick of modernity is still more apparent, witness this bit of Henleyite contempt for the 'common Burnsite': 'The inherent force and overpowering spirit of *The Jolly Beggars* are perhaps sufficient to account for its inferior popularity as compared with *Tam o' Shanter*. Had Burns swerved for one moment from the path of true craftsmanship, had he relaxed the severity of the artist and emitted the smallest whine of senti-

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ment, had he dowered any one of his gallery of mendicants and mumpers with those virtues which draw the tear to the eye and the snuffle to the nose, *The Jolly Beggars* might have stood first in the hearts of its author's countrymen as securely as it does in the estimation of those best qualified to form an opinion.' This is legitimate enough as literary criticism from Mr. Millar's standpoint, but the tendency to modernity sometimes leads him far enough away from literary history.

While this tendency lends piquancy, subtle allusiveness, and the journalistic quality of living interest, it is fatal to philosophic breadth and just proportion. To say of a speech of Chalmers that it reveals him merely as 'a species of ecclesiastical Helen Macgregor,' or to call the *Lilac Sun-bonnet* 'a perfect triumph of succulent vulgarity' is amusing but not satisfying.

To the greater lights of the Golden Age of James IV.—Douglas, Henryson, Lyndsay, Dunbar—due court is paid. The criticism is full and discriminating, but leaves the problems of their art very much where they were. With none of these is the mere modern more in sympathy than with the shrewd but gentle Henryson, one of the most lovable characters in Scottish literature. Mr. Millar does justice to the charm of the *Fables* and their 'humanity and tolerance, which our national poetry in the criticism of life has sometimes lacked.' Unfortunately we have here one of many such general statements which our author throws at the reader and then runs away. Dare any one say that humanity and tolerance, where these are called for, are wanting in Allan Ramsay, Burns, and Scott? It would be easy to illustrate these features from the undesigned literature of proverb and anecdote. But the anecdote form of Scotch humour is abhorrent to Mr. Millar, who, *apropos* of worthy Dean Ramsay and his stories, says, 'while racy and pointed in themselves they have been the parent of much intolerable dullness both in conversation and in print.' Here again our author cannot stick to his last, which is literary history. But the philosophic method might have suggested at this point an interesting discussion on what is the most characteristic note of the national mind, the criticism of life on pawky, didactic lines. True, the critic might hardly call the 'gnomic' style poetry at all, but the study of the literary, and even general history, of Scotland compels attention to it. Its wit, and force, and kindliness are conspicuous in the work, say, of Barbour, Henryson, Lindsay, Maitland, and, still more so, of Ramsay, when he is a Scottish Horace, Fergusson, Burns in his *Epistles*, and Scott when he gets away from the 'genteel' and its stilted exponents.

The seventeenth century in Scotland has little to offer the student of literature, but of this little Mr. Millar makes the most. He very properly ascribes the decline of the vernacular as a literary medium, not to the Union of 1603 but to the fact that the Reformed Church adopted English throughout; and here I can only in passing contrast the work of the Anglified Knox with the intensely German Luther, who by his hymns and Bible created a literary language that is bound up with the national life. The strongly devout character of this century

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gives Mr. Millar an opportunity, of which he cleverly avails himself, to show up some of the less lovely phases of Evangelical literary art. His treatment of worthy Samuel Rutherford in adapting the allegorical in the *Song of Solomon* to the understanding of his fleshly hearers, doubtless quite alive to the *riské* elements, is extremely neat. Quoting an admirer of the saint of Anwoth to the effect that 'The haughty contempt of the *Letters* which is in the heart of many will be ground for condemnation when the Lord cometh to make inquisition after such things,' he adds, 'Thus the pious Dr. Love; and it can only be hoped that the doctor is out in his confident forecast that a revision of erroneous critical opinions will form part of the business of the day of judgment.' Very acceptable, too, is his good word for the metrical Psalms and Paraphrases. The former 'contain many passages of artless and simple beauty and some of unostentatious dignity. Moreover, the version is hallowed by the associations of two centuries and a half. It is, therefore' (significant word) 'scarcely necessary to say that in recent years it has to a great extent been ousted from the services of the Kirk in favour of 'hymns,' which possess no recommendation whatsoever, except unwholesome sentiment and glib fluency.' Equally good is this on the Paraphrases (eighteenth century work): 'Their genuine piety is untainted by extravagance, their grave severity unruffled by hysteria. They that seek for glitter, and banality, and noise, must turn to the more comprehensive volumes of a later date, whence they will not be sent empty away.'

The eighteenth century affords full scope for the display of Mr. Millar's pronounced 'Moderatism,' fortunately not incompatible with an incisive treatment of that 'eloquence,' which was so dear to the literary 'Moderates.' This survival of the 'aureate' style—for its roots were far older than the century—was a fruitful source of much frigidity in sermon and academic lecture. Akin to it is that well-bred reticence about the familiar and personal which makes the contemporary records of the century so barren. 'Let us be genteel,' these writers said, 'or our Art will die.' Scott himself was in this respect a child of the century. The story of his schooldays, apparently so frank, is as much romancing as the 'genteel' account of them in 'Redgauntlet.' Had he let himself go how much he would have surpassed the 'human' revelations of 'Jupiter' Carlyle and Henry Cockburn, whose Whiggism, by the way, excites the strong aversion of Mr. Millar.

The encyclopaedic style, while it satisfies the modern craving for 'Manuals,' does bare justice to Mr. Millar, whose independent attitude, decided feeling for style, and incisive treatment of literary foibles show to greater advantage in this study of recent times. The older problems call for patient research and wide sympathies in handling those entire phases of the national life which gave to the literature of each period its local form, colour, and character, just as nature harmonises bird, insect, or flower with its environment.

JAS. COLVILLE.

ALCUIN CLUB COLLECTIONS. V.—DAT BOEXKEN VANDER MISSEN.

'The Booklet of the Mass,' by Brother Gherit Vander Goude, 1507.

The thirty-four plates described and the explanatory text of the Flemish original translated, with illustrative excerpts from contemporary missals and tracts, by Pearcer Dearmer, M.A.

A SUPERSTITIOUS horror of the Mass, which to John Knox was more terrible than 10,000 men armed against the congregation, was a characteristic feature of the Scottish Reformation, and the cry 'False knaves, wilt thou say mass at my lug,' is traditionally said to have ushered in the great revolution of 1636. Any document, therefore, illustrating the way in which the central act of worship of Catholic Christendom was regarded by its votaries, or the way in which a Catholic 'heard mass,' should be to us interesting and instructive.

This little picture prayer-book was not compiled for apologetic or controversial purposes, for its date is anterior to the Reformation. Its interest is mainly historical. The third edition, the basis of the present reproduction, is dated 1507. It was translated into French under the title of *L'Interpretation et Signification de la Messe*, and an English version was published in 1532—when the rejection of the Pope and all his works was going on apace under Henry VIII. Such pictorial guides to devotion were naturally popular when few could read print, and when much could be conveyed to the eye by emblems and symbols. But, in the case of the Mass, this pictorial method of instruction had a distinct value of its own, inasmuch as it kept in view of the child and layman the doctrine that the Mass was an *Action*—the one great sacrifice consummated by Christ on Calvary, and here renewed, repeated, or applied by the priest.

The devout Catholic wishing to assist at Mass does not follow word for word the prayers of the missal. They would be unsuited to him. He is therefore left at liberty to devise some appropriate way of giving his attention to the act in which he participates. To him the Mass represents the great drama of Christ's life and death. It is left to the devout imagination to fill in the details of the picture. He is saturated with the gospel story, and, as it were, plays with it; and a hundred methods of hearing Mass are accordingly invented, some of them extremely fanciful and far-fetched in their symbolism. This, for example, is the way in which the first Article treats of the vesting of the priest.

'¶ The first article of the Mass.

'¶ How the priest prepares himself in the sacristy to say Mass: the deacon and subdeacon help him in this, but the priest puts on the vestment by himself. ¶ That shows us how Christ Jesus put on the vestment of human nature, and was conceived in the sacristy of the blessed body of Mary: in this did help the Father and the Holy Ghost. The minister of the Mass signifies the holy angel Gabriel.'

In the present case we have, or rather ought to have, the whole function divided into thirty-three episodes, representing the thirty-three years of Christ's life—the pictures on the one side showing the actions of the priest at Mass, and on the other the corresponding actions of Christ's

life. Unfortunately the latter set of pictures and their mystical interpretations, with the exception of the one just quoted, are omitted by Mr. Dearmer. This is not only a regrettable omission both from a bibliographical and theological point of view, but hereby the title of Mr. Dearmer's book becomes positively misleading. It is not *Dat Boexken Vander Missen*, or 'The Booklet [why Booklet?] of the Mass' that he is editing, but the one half of that book, interesting only to the liturgist. This should have been made clear on the title-page.

These liturgical pictures have, however, considerable interest. One especially will strike the modern Roman Catholic. The Thirty-second Article, entitled 'Ite missa est,' represents the chalice, lying down on the corporal and draining into the paten. How or when the chalice or paten is finally cleansed is not clearly explained. In the Sarum Use, remarks Mr. Dearmer, the chalice was 'laid to drain on to the paten and the drops finally consumed before the communion was said. The custom has disappeared altogether from the present Roman Rite.' It would be worth while to reproduce this little book of the Mass *in extenso*, and at a less costly price than one guinea.

T. G. LAW.

THE SCOTS IN EASTERN AND WESTERN PRUSSIA, Pp. xii. 244 with seven portraits and a map, by Th. A. Fischer. Edinburgh: Otto Schulze & Co. 1903. 15s. nett.

THIS book is to some extent a continuation of Dr. Fischer's *Scots in Germany*, and casts many new lights on the *vie intime* of those Scots who settled in Prussia not as soldiers of fortune, but as Traders and Pedlars. As far back as 1330 the generic name for a wandering packman in Germany was 'Schotte,' and the writer holds this to have been derived more from the wandering Scot than from the itinerant Irish mendicants.

Very little, however, can be told about the Scots in Prussia before the fifteenth century, and their traders were from the first regarded with deep suspicion. The shipping trade between Scotland and Dantzic soon became an important one, and the Scots had their own altar in the Schwarzmönchen Kirche. Of the Scottish pedlars during the sixteenth and seventeenth centuries Dr. Fischer has a great deal to tell, and he recounts clearly the difficulties they had to contend with. Even in Dantzic they were oppressed. They were subject to attack on the highways, to injustice at the hands of the authorities, and they suffered much from the jealousy of the German merchant guilds. Yet in spite of all these disabilities they increased and flourished, but were always held in low esteem by their German neighbours as an inferior people. Thus at Königsberg as late as 1620 the Scots complain that though protected by the Duke they were jeered at as mere 'gärtner,' and this was the attitude all over Prussia, and in Poland also, where a decree against the trading Scots had been issued in 1566. In Prussia their position advanced in 1616 by a self-imposed tax and the consequent issue of letters of protection, but the improvement was slow. The Lutheran



THE LAST EARL MARISCHAL

From a sketch in the collection of Prince Eulenberg, reproduced in Dr. Th. A. Fischer's 'Scots in Eastern and Western Prussia'

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pastors disliked them as belonging to an alien church, and it was only through gradual intermarriages with German ladies that their status really improved, and that they were freely made Burgesses. They were again taxed in 1680, and their full civil rights were not acquired until the eighteenth century. Dr. Fischer tells us much that is interesting, illustrating points about the Scottish 'Nations,' their handicrafts, their charities, and their generosity.

The second part of the book, 'Army, Church, and other matters,' is less interesting because less new. Still it contains many lists of names of use to the genealogist. Many documents are appended—e.g. a list of Birth Brieves, and a list of the Scottish Burgesses at Posen, 1585-1713; and among the illustrations is a quaint sketch of the last Earl Marischal (reproduced from Dr. Fischer's plate), from the collection of Prince Eulenberg. Dr. Fischer has, we think, fully proved that the position of the Scottish Trader was much less happy than has previously been believed, and his book will be read by all those who study 'The Scot Abroad.' It would be made more valuable by a better index.

A. FRANCIS STEUART.

LUARD MEMORIAL SERIES. VOL. II. GRACE BOOK B, PART I., containing the Proctor's Accounts and other Records of the University of Cambridge. Pp. xxvii, 309, demy 8vo. Cambridge: The University Press, 1903. 21s. nett.

EDITED for the Cambridge Antiquarian Society by Mary Bateson (1903), is another instalment of a most worthy commemoration of the distinguished antiquary who for so many years acted as Registrary of the University of Cambridge. It is a discredit to British scholarship that so many of the mediaeval records of the ancient English Universities should be still lurking in manuscript. Cambridge is not fortunate in having preserved her archives with any completeness, and such as have remained have been diligently examined, though necessarily for biographical purposes, by the authors of *Athenae Cantabrigienses*. The Cambridge Antiquarian Society has, however, done well in setting forth in excellent print and comely get up a series of University records in memory of the editor of Matthew Paris. The present volume contains the proctor's accounts for the years 1488 to 1511, and is a continuation of an earlier volume edited by Mr. Stanley Leathes. The society is fortunate in having secured as editor so learned and indefatigable a student of mediaeval history as Miss Mary Bateson. That lady does not indeed seem responsible for the text or even the original material for the index; but when a former editor was unable to see the book through, she stepped into the breach and brought the book to a rapid and adequate conclusion. An excellent, though brief, introduction explains to us the value of the material Miss Bateson now gives to the world. In it our attention is attracted to a table of the number of degrees given by the University in the first decade of the sixteenth century. The highest in any one year is 97, in 1503, while the lowest, in 1506, falls to 65. So modest in authentic records is the number of persons taking degrees at Cambridge at the very

threshold of the Reformation movement, the leadership of which fell in so many cases to Cambridge men. But the large proportion of degrees in the higher faculties, and especially in canon law and divinity, speaks highly for the quality and duration of Cambridge studies at that period, and the near approach to equality (e.g. in 1507 26 to 25) of the numbers of bachelors to masters in the faculty of arts tells a similar tale. Medicine and music were little better than nominal faculties, with 6 and 1 graduates respectively in the 10 years. Miss Bateson has in some cases indicated the proportion of seculars to regulars among the graduates in divinity. She might with advantage, however, have worked out all the information given on this subject in her record. We have been at the pains of counting them up, and find, out of a total of 91 B.D.'s in the decade, 20 are described as friars, 5 as regular canons, and 4 as monks. This makes 29 known to be 'religious,' that is about a third of the whole. But in the absence of specific description we cannot be sure that all the 62 who are not described as 'religious' were really secular clerks. Probably the proportion of professed to seculars was really greater than a third. Still the number of English seculars studying theology compares favourably with those in the Universities of Italy, where hardly anybody could be found to study so unprofitable a subject save mendicants vowed to absolute poverty, and therefore removed from worldly temptations. As compared with the friars, both the regular canons and the 'possessionate' monks cut a poor show, as might have been expected a generation before the dissolution. We may add that the entry on p. 222, that Erasmus became in 1506 an 'inceptor' in divinity, does not seem to be included in the tables. With this microscopical criticism we have exhausted all that we can say against Miss Bateson's excellent work.

T. F. Tout.

THE VALET'S TRAGEDY AND OTHER STUDIES. By Andrew Lang. Pp. xiv, 366, demy 8vo, with Illustrations. London: Longmans, 1903. 12s. 6d. nett.

MR. LANG has dug up and exploited the infamous Pickle and laid patent *his* mystery. The mystery of the Gowrie Plot has had his elucidation. The mystery of Prince Charles's period of *incognito* owns him as its discerning detective. The mystery of Mary Stuart added another volume to his historic-detective series, and here is a whole bundle of mysteries in the 'Valet's Tragedy.' It would be impossible to follow Mr. Lang critically through the many tangled stories which his latest book contains. It is true that his conclusions are not infrequently indefinite, for the reason that he is too careful a worker to unduly accentuate this or that clue. Nor is the story he offers a mere re-shuffling of time-worn evidence. His industry and indefatigable search for new materials are alike amazing. With this appreciation one must rest content to say that in this volume of historical mysteries Mr. Lang tackles that of the 'Man in the Iron Mask,' and detects him in Eustache Dauger; deals with the mystery of Sir Godfrey Berry's death, without coming to any definite conclusion, but with

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a leaning to the theory of suicide; tells the strange story of the false Jeanne D'Arc, one of the strangest in medieval history, surely; has a chapter on 'Junius and Lord Lyttleton's Ghost'; another on 'The Mystery of Amy Robsart,' and finds Dudley's character cleared, and the theory of suicide 'plausible, if it were conceivable that a person could commit suicide by throwing herself downstairs,' and Elizabeth 'erroneously accused of reporting Amy's death before it occurred.' As to 'The Voices of Jeanne D'Arc,' he concludes that in her case, 'as of Socrates, the mind communicated knowledge not in the conscious everyday intelligence of the Athenian or of La Pucelle.' The Neapolitan Stuarts have their chapter in the 'Mystery of James de la Cloche.' But is it not an assumption that there was no Maria Henrietta Stuart who could have been Don Jacopo's mother? And is not the manner in which his papers may have got into the hands of the Jesuits suggested in a recent article by Mr. A. Francis Steuart in the *English Historical Review*? The story of 'Fisher's Ghost,' to Mr. Lang's mind, reveals another instance of genuine hallucination. 'The Mystery of Lord Bateman,' and 'The Queen's Marie,' are other chapters, and the volume closes with one on the most modern mystery, 'The Shakespeare-Bacon Imbroglio.' From Louis XIV. to Mrs. Gallup—that is the range of the volume! Needless to say that it is written with all the art so readily and responsively at Mr. Lang's command; that it is eminently readable; and that it will be very widely read.

C. SANFORD TERRY.

HISTORY OF SEPULCHRAL CROSS-SLABS, by K. E. Styan. Pp. vi, 45, demy 8vo, with Illustrations. London: Bemrose, 1903. 7s. 6d. nett.

THIS little book, with its seventy-one illustrations, is published with a view to excite interest in its subject. The notes are not of great value, but the slabs are clearly and it must be supposed accurately delineated. The examples are almost entirely drawn from the South of England, and are works of the thirteenth century and later. The designs are simple and chaste, but are in no way striking. The impression left upon the mind is that the grave-slabs of the South of England are not to be compared in artistic value with those of Scotland and the North of England. But this impression may be due to the author's choice of slabs, which, with only thirteen exceptions, have no other decoration than the cross.

P. MACGREGOR CHALMERS.

THE DESTRUCTION OF THE GREEK EMPIRE AND THE STORY OF THE CAPTURE OF CONSTANTINOPLE BY THE TURKS. By Edwin Pears, LL.B. Demy 8vo, with 3 Maps and 4 Illustrations. London: Longmans. 18s. nett.

MR. PEARS' name has been before the public recently as one of the few who can speak with first-hand authority upon the present state of the Turkish provinces in Europe. And not the least valuable and instruc-

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tive part of this book is the informed and discriminating view of the permanent vices and virtues of the Turk by one who has studied him (not unsympathetically) from his Tartar origin, and is also familiar with the present régime at Constantinople. But its chief interest is neither topical nor temporary.

Mr. Pears tells the story of the Eastern Empire from 1204 to 1453: to the objection, that the task has been accomplished already by Gibbon he answers 'first, that an important mass of new material is now at the disposal of anyone who wishes to retell the story, and second, that Gibbon told it with a bias which makes it desirable that it should be retold.' On the first point the author's scholarly exactness in weighing and applying the original testimonies (so curious and racy in their Venetian, French, or Renaissance Latin), and working out his narrative from them, is his full justification. On the second I cannot find him so clear. Gibbon wrote as a Theist, and Mr. Pears rebukes him for not estimating the historical importance of theological doctrines and sentiment which he despised; his authorities infused into him the Latin prejudice against the Greek Church, and Mr. Pears throws the chief blame for the downfall of the Eastern Empire on the Crusaders and the Catholic monarchies. But when he talks (not without a tinge of the 'God's Englishman' provincialism and arrogance) of 'we Northerners' and 'we of the twentieth century,' I cannot help feeling that Mr. Pears is as distinctively nineteenth century as Gibbon was eighteenth century in his assumed principles, and that the adult twentieth century may have a very different word from either to say and more sympathetic with the fourteenth and fifteenth than either. However, the history free from bias or temporary colour remains to write; and perhaps nobody will read it when it is written.

In general Mr. Pears suffers perhaps by the besetting recollection of Gibbon's brilliant qualities: his portraits are a bit flat—though doubtless the fault here lies partly with the persons, themselves all drawn down by the general ebb of decadence. Exception must be made in favour of Mahomet II., carefully delineated and with something of the sympathy which Gibbon felt for Julian. Neither is the style altogether adequate: it is sometimes slipshod, sometimes obscured by a singular parsimony in the resources of punctuation. In particular there are sentences on pp. 53, 110, 172, 184 which the author should be glad to retouch when the book goes to a well-deserved second edition. But in the captivating drama of the siege of the city and the fate of Constantine (the Francis Joseph of that prefigured Austria) he achieves a blunt, simple force which at least transmits, though without improving the tragic interest of the material. The chapter headings are needlessly telegraphic in their abbreviations, even suggestive of headlines in the halfpenny press.

Mr. Pears does not indulge largely in historical philosophy, but two big facts appear either implicitly or by admission. The first (in his own words p. 90): 'it may be confidently asserted that had the counsels of more than one of the Popes during his (viz. John Palaeologus) reign been followed, there would have been a concerted action against the common enemy sufficient to have delayed the Turkish progress, and possibly altogether

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arrested it.' The Turk then as now throve on the jealousies of European Powers. Secondly, it was the obstinate nationalism of the Greeks in Constantinople which broke the repeated efforts of statesman after statesman and Pope after Pope, to unite the Churches—just as nationalism now corrupts the Christian cause in the East.

In conclusion: the blemishes are small and the book is excellent. The account of the final siege would have been easier to follow if van Millingen's plan had shown the heights in contour-lines; and if the author had more fully exhibited the purpose and utility of dragging the ships across the Pera promontory. The illustrations are admirable: among them photographs of the surviving walls and of Gentile Bellini's magnificent portrait of Mahomet.

J. S. PHILLIMORE.

SHAKESPEARE'S HOMELAND: Sketches of Stratford-upon-Avon, the Forest of Arden and the Avon Valley, by W. Salt Brassington, F.S.A., with over Seventy Illustrations by H. J. Howard and Sidney Heath. Pp. xx, 356, demy 8vo. London: Dent.

MR. BRASSINGTON has written a pleasant volume upon Stratford and the neighbouring country, which is profusely and tastefully illustrated with numerous sketches by the artists mentioned in the preface. He has plenty of enthusiasm, a genuine appreciation of picturesque scenery, and a good knowledge of architecture. He displays too a keen perception of the mischief done to the historical associations of country churches by the restorer, and a sound knowledge of the few facts of the life of Shakespeare which have come down to us. But in his horror of the Baconian craze he is somewhat too anxious to exalt the social position of the poet's family. Probably Robert Arden was, no doubt remotely, connected with the Warwickshire Ardens, but the Heralds were doubtful of the relationship, and after sketching the Arden shield withdrew it. Nor are the vague statements of Garter about Shakespeare's forefathers to be accepted as literal facts. Had they been capable of verification they would have been much more precisely stated, we may be quite sure. The Baconians have of course gone absurdly far in their desire to disparage Shakespeare, but that is no reason for exaggerating his claims to a distinguished pedigree. In spite of this foible the volume is agreeably written, and gives the general public a great deal of information in attractive fashion.

N. MACCOLL.

THE EMPEROR SIGISMUND: THE STANHOPE ESSAY, 1903, by Archibald Main (Oxford: Blackwell, 1903, pp. 55, crown 8vo, 2s. nett), written with care, clearness, and promise, is a compact account and estimate of a career of ambitious inefficiency. Accrediting Sigismund with his one success, his share in mending the great and long-standing schism, and thus reuniting the splintered papacy over the ashes of Huss, our essayist sums up the Emperor as 'the self-sentenced Belshazzar of the Middle Ages.'

The September issue of the *Juridical Review* (Green & Sons) contains an attractive and brightly written article by Dr. Robert Munro on *The Recent Case of Treasure Trove* (the Attorney General v. the Trustees of the British Museum; June, 1903);—a litigation involving extremely wide and varied interests, since it presents, all blended together, a bewildering number of aspects rarely found in company—archaeological, historical, anthropological, artistic, legal, geological, political, and even international. Dr. Munro's account, and the informing article by Dr. Joseph Anderson in our last issue, may be profitably read as supplementary to each other. A note by the Editor calls attention to the unsatisfactory state of existing Scots Law on the subject of Treasure Trove, and under-states rather than over-states his case. He is probably right in characterising as 'plainly unwarranted' the claim of the Crown put forward in 1888 to appropriate as Treasure Trove articles of antiquarian interest, not made of bullion, found some years earlier in a *tumulus* or burial mound in Scotland. Unfortunately, however, the matter cannot be thus lightly dismissed; since the Lord Treasurer's Remembrancer in that year not only put forward this claim, but practically compelled the other parties alleging interests to acquiesce in his contention; and since, moreover, the intervention of the Crown had been made upon the invitation of the Lord Ordinary (Lord Kyllachy). It is true that the opinion thus supported by the authority of an Outer House Judge of the Court of Session has been completely demolished, along with the mistaken legal arguments underlying it, by Dr. David Murray in his *Archaeological Survey* (James MacLehose & Sons, 1896); yet Dr. Murray's conclusions, so long as only supported by reason and common sense, cannot be accepted as authoritatively settling the law of Scotland in opposition to the *obiter dictum* of Lord Kyllachy, backed up by the successful action of the Lord Treasurer's Remembrancer. The Scots Law of previous time is thus more uncertain and unsatisfactory than the Editor of the *Juridical Review* suggests.

Topics of history in the *Edinburgh Review* (Oct.) comprise notably a notice of the literature upon 'Christopher Columbus and the Discovery of America.' The reviewer is no partisan in the conflict of panegyrists and detractors. He thinks the facts eloquent enough of a greatness of spirit and design. 'In the story of our race there is only one man who planned and carried through a voyage such as that of 1492.' A sketch of the Irish insurrection, led by Robert Emmet in 1803, chiefly concerns itself with the personal career of the young enthusiast, whose aspirations, now being celebrated in centenary, led him to the scaffold.

The Reliquary (Oct.) is even more than usually rich in pictures of public and domestic antiquities. A curious votive sun chariot from Denmark—a very small bronze horse drawing a circular disc inlaid with gold and set on wheels—is the most striking of the list, which includes burial urns, pre-Norman crosses, a font, a dog-whip, a scold's bridle, and a variety of ancient purses, some with edifying inscriptions on the metal work. One reads: 'Si non habit peccunium non dabit.' This is sound doctrine, although the spelling be heterodox.

The September issue of the *Archiv für das Studium der neueren Sprachen und Literaturen* is a very full wallet indeed of miscellaneous old German, English, and French studies, especially English. E. Erlemann grapples with the interpretation of certain Anglo-Saxon riddles attributed to Kynewulf. J. Koch collates MSS. of Chaucer's *Parlement of Foules*. H. Ullrich not only collates various editions of *Robinson Crusoe*, but infers from the scrutiny that Defoe was not himself concerned with any textual changes. The variations quoted are of no importance. Dr. Otto Ritter, whose recent researches into the 'quellen' of Burns eminently merit praise, turns his attention from Triton to minnow, and searches after the sources of Lewis's *Monk*, and its considerable influence on his contemporaries. Hans Hecht transcribes from the Advocates' Library MS. 5.2.14, the ballad of *Thomas o' Winesberry*, with John Leyden's annotations. A leading and elaborate essay in this fine number is that of H. Morf on French folk song, brightened with many examples.

In the *Revue des Études Historiques* (Sept.-Dec.) the marriage of Marie Antoinette is the foremost topic. A paper with unprinted documents on Bernardin de St. Pierre shews him in 1778 eagerly applying for employment in a survey of Corsica, a needy 'ancien capitaine-ingénieur,' not yet apparently dreaming of future authorship and his immortal pastoral, *Paul et Virginie*.

If the *Revue Historique* (F. Alcan, Paris) has one feature of interest more constant than another, it is in the *aperçu* or collective historical bulletin which M. Ch. Bémont gives of current published work on English history. His standpoint, though not at all remote, yet has a detachment and distance investing his views with unusual value, and he never fails to refer to studies unnoticed generally elsewhere. Of the chief articles in the October-November number of the *Revue* only one, by M. Bonet Maury attracts remark here. It is a biographical account of St. Columban with local reference to the monasteries founded in Brie in the seventh century—Faremontier, Jouarre, Rebais, Saint Croix de Meaux, the hermitage of St. Fiacre, and the convents of Lagny and Peronne—by or through the Irish saint himself (who died in 615) and his disciples St. Fiacre and St. Fursy. Eloquent and generous tribute is rendered to the civilising force of these fearless missionary monks of the west, 'authentic saints, worthy imitators of St. Peter and St. Paul.'

Englische Studien (Leipzig), a standard organ for English philology, gives in its mid-September issue a text of the *Lay-Folks' Mass-Book*, and numbers among its dissertations and criticisms a study by Anna Pudbres on Byron's indebtedness to the Italian poet Alfieri, specially exhibited in Byron's borrowings in *Marino Faliero* from Alfieri's tragedy *La Congiura de Pazzi*. We note the announcement for early publication of a philological essay by Dr. O. Ritter on 'the Scottish parliamentary documents.'

Stately in form and size *The American Historical Review* challenges comparisons with any similar periodical produced in Europe. It has of course very many criticisms, and prints some original documents valuable

for United States history. Among its leading articles that of Mr. F. M. Fling on 'Historical Synthesis' is a survey of the vexed question of historical method raised by Comte and Buckle. It states the present confused position of a confusing argument, largely a matter of philosophical terms themselves indefinite, regarding the applicability of methods of natural science to historical pursuits. Mr. Fling is on the side of the historians and against the sociologists and natural-science methodists. Particularly interesting to the Scottish reader is a contrast by Mr. E. F. Henderson, 'Two Lives of the Emperor Charles I.,' illustrating the inefficiency of Robertson, even in the light of the knowledge accessible in his own time, when rhetoric too often passed for philosophy.

Diversified as is the interest of the *English Historical Review* (Oct.), the English items attract most. Sir James H. Ramsay groups instances of the proneness of mediaeval chroniclers to overestimate numbers. As shewing the other side of the matter, Mr. H. W. C. Davis in an article on 'The Anarchy of Stephen's reign' effectively employs official figures as corroborating contemporary narratives heretofore suspected of exaggeration. Mr. Richard G. Usher examines Chief-Justice Coke's account of the dispute with King James, in which the judge incensed the monarch by saying that the common law protected the King, while James with indignation maintained that the King protected the law. Notwithstanding Coke's report of the affair he did not beard the King with impunity.

The Genealogist of October contains a note of a curious episode in the life of the first Lord Belhaven and Stenton. We have been content to take it from Douglas and Wood that that lord died in 1679 without male issue, and it was quite true. Sir James Balfour in his *Annals* had an announcement that Lord Belhaven had died near seven years previously—'miserably perished in the sinking sands of the Solway' (*Annals*, iv., 3rd July, 1652). This was clearly wrong; but Balfour seems not to have been alone in the error, for G. E. C. (*Complete Peerage*, Art. 'Belhaven,' vol. i., p. 306) adds a foot-note drawing attention to 'an almost inexplicable' administration of Lord Belhaven's goods granted on 11th November, 1656. The Hon. Vicary Gibbs now comes forward with the explanation which he has found in a source which we should not call recondite if it had not hitherto escaped the notice of the peerage writers—he finds it, quoted from Nicoll's *Diary* and Baillie's *Letters*, in Chambers's *Domestic Annals of Scotland*, ii. 249-50. The story which Mr. Gibbs reprints with all its quaint details comes to this, that Belhaven had caused himself to be reported dead to escape being involved in the ruin of the parent house of Hamilton. That the story has hitherto escaped the peerage writers seems clear from the fact that one of its points—that Belhaven had had a son, who predeceased him in the father's absence, and who must therefore have passed for a time as the second Lord Belhaven—is mentioned by none of them. Among other important items, 'The Marriages at Fort St. George,' 'Madras,' and Mr. A. J. Jewers's 'Grants and Certificates of Arms,' are continued. In Mr. J. F. Clay's print of *Dugdale's Visitation of Yorkshire with Additions* occurs the pedigree of the Constables of Everingham, one of the maternal ancestries of the present Lord Herries.

Record Room

A ROMANCE OF CHRESTIEN DE TROYES.

AMONG the books of Edward I. inventoried in 1299-1300 among his 'Jocalia' there occurs the following:—

Unus liber de Romauntz qui incipit '*Cristiens se voet entremettre.*' (*Liber Quotidianus Contrarotulatoris Garderobae*, A.D. MCCXCIX and MCCC, ed. London 1787, p. 349.) It does not seem to have been noticed that this must have been Chrestien de Troyes' poem *Du Roi Guillaume d'Angleterre* published in Michel's *Chroniques Anglo-Normandes*, 1840, and reprinted in *Scriptores Rerum Gestarum Willelmi Conquestoris* by Dr. Giles in 1845. The opening line of the piece is—'*Crestiens se veut entremetre.*'

'THE HEDE OF SANT . . .': THE EARL OF ANGUS'S PILGRIMAGE IN 1489.

IN the MS. of James Graye, who has been reckoned (*Athenaeum*, 16th December, 1899) the probable scribe of the unique extant copy of the *Kingis Quair*, there is an unfinished entry evidently in the handwriting of Graye himself, consisting of a letter apparently by James IV. addressed to a brother monarch, no doubt Henry VII. The MS. is in the Advocates' Library, and has the press mark 34.7.3. On fo. 55 verso of the pencil pagination this opening sentence of a royal letter is engrossed on the second half of the page, but the copy stops abruptly before the bottom is reached. Fragmentary though it is, its interest is not small.

'Right excellent hie and michti prince and Right entierlie belovet Cousing and Bruthir.

We Recommend Ws to 3ow in oure maist hertlie wiss Signifying unto 3oure Cousinage that we have understandin be the Relacioun and Report maid to Ws be our traist & weilbelovet cousing Archibald erle of Anguss yat quhenn he was in the partis of 3oure Realme intending to have passit his pilgrimage to the blisist Relique the hede of Sant . . .'

What the further purport may have been is hard to say. A pilgrimage in the fifteenth century was apt to cover a multitude of political sins. So much at least is reasonably certain that the allusion is to the Earl's pilgrimage to Amiens, for which, on 12th February, 1489, a six months' safe-conduct for his passage through England was granted by Henry VII. (Bain's *Calendar* iv., No. 1547). At Amiens at the present time the chief

relic of the Cathedral is the Head of John the Baptist. In the fourteenth and fifteenth centuries the fame of the relic was widespread. Barbour, in his *Legends of the Saints* (No. xxxvi., Johannes Baptista, ll. 1182-84), speaks of its preservation :

'At Amyas a grete parte is
Of his hewide in þat lyknes
Þat it had beand ine to flesche.'

Among Scotsmen the pilgrimage to Amiens is occasionally vouched by English safe-conducts, such as that of George of Lauder, a merchant, dated 24th September, 1411, or that of a party of five knightly pilgrims to 'Sanctum Johannem de Amyas in partibus Picardie,' granted on 14th March, 1466 (*Rotuli Scotiae*, ii., 197, 419). Legend of course is not wanting for the story of how the Baptist's head was discovered at Jerusalem, and taken thence to France. A metrical version printed in Horstmann's *Altenglische Legenden, neue Folge*, 1881, p. 127, records its migrations :

'And seyn yt was broght for sertaine
Into the cuntres of Aquitaine
And þare it es derly to hald
In a cete þat Ambianence es cald.'

G. N.

MONZIEVAIRD CONFLICT OF 1490.

AMONG the feuds of the clans a well-recorded episode was that of the slaughter and burning of the Murrays by the Drummonds at Monzievaired in 1490. Occasioned by disputes over 'the rydeing of the teynds' of Monzievaired, the conflict ensued from an expedition by the Drummonds, on whose approach the Murrays fled to the little thatched church. A shot from their place of retreat wounded one of the Drummond party 'whereat the rest of the Highlanders being so intraged could not be restrained from fyreing the church covered only with heather and so burned al within it' (Viscount Strathallan's *Genealogy of the most noble and ancient House of Drummond*, 1681, Glasgow, privately printed 1889, pp. 158-9. See also *Lord High Treasurer's Accounts* pref. cii-ciii *Exchequer Rolls* x. pref. l-li.) Pitscottie in his *Chronicles of Scotland* (ed. Scottish Text Soc., i. 237) describes the burning of the kirk 'quhairin was sex scoir of Murrays with thair wyffis and childerin; but few escapit thair fre bot they war ether brunt or slaine.' One record of the occurrence exists however which from its obscure position and accidental character appears to have escaped the notice of historians, and which perhaps tends to a very material modification of the extent of the slaughter. James Graye's MS. (Adv. Lib. 34.7.3) has been referred to in a preceding note. Its writer added at the foot of fo. 36^b this little memorandum, written in a very small hand, crosswise on the blank space :

Yir war the personis yat war slane at Monyward quhen ye kirk
brint, bartelmo murray, david murray, Johne of murray, Johne of murray,

of ye [*cut away*], Johne of morray, laurence morray Antone morray, Nichol haldane, donald hawley, Johne hauly eius filius, Wil Robesone, Johne of Fentoune, Wat cowane, Peter henzo, Nichol elder, Johne Rollok, Sandy Rollok, Andrew menteth, patric dow, petir lowtfut.

This roll of twenty persons it will be observed falls a long way short of Pitscottie's slaughtered six score. In striking the balance between these two statements of the casualties it will not be amiss to remember that Pitscottie's book was written about eighty years later than Graye's memorandum. Besides, Graye had peculiarly intimate sources of information. He was clerk to Archbishop Schevez of St. Andrews at this very time. Now it happens that Viscount Strathallan in the *Genealogy*, quoted above, mentions that in 1490 a complaint was presented to this Archbishop by George Murray, Abbot of Inchaffray, 'signifyeing that how some of the Drummonds (whom he calls Satan's soldiers and rotten members) had most barbarously killed and burned in the kirk of Monyvaird a number of his kinsmen friends and followers without regaird to God or the place to which they had betaken themselves as to a sanctuary and safe house of refuge.' One can scarcely doubt therefore that Graye's list is official and may be accepted as accurate, furnishing by its contrast in the matter of numbers, when compared with Pitscottie, one more to the many evidences that chronicle has an almost incurable propensity to be bloodthirsty in its counting of the slain.

G. N.

SCOTS IN ROME IN 1597.

[HARL: MSS. 538. British Museum.]

'INFORMATION of Robert Farguson, Protestant, Soldier in Venise. Scotseman of Edenborge the 18 Februarie 1597 as to Scots Nobles & Gentlemen residing at Rome. He came from Roma the 2 Januarie and myndes he to go for Vienna, and then to Geneva & France to the L. Wemes Scotseman, to the King's Army.

He had stayed in Roma vij wekes & his arrant was to the Sonne of the L. Wemes at Rome to bringe him to Scotland, who was gone from Roma before he came thither. At his being in Roma these Scotseman following were there.

Thare was the young Lord Aragyle sonne of Erle Argyle and the Lord Tullebarne, and the Lord Wemes sonne, They all iij fled from Roma in haste, for feare of Inquisition through malyce of Mons. Tyre chief of Scots' Jesuites.

Mons^r Tyre¹ Scotse Jesuite, Chief of Scotsemen in Roma.

L. Abbot Ganshafre² Scotseman and the L. Bisshop of Donblan³ in Scotland. B. of Essen in Avinion, they twayne are gone from Roma to France.

L. Bisshop of Rothes, Ross, in Scotland, and of Roan in France, he is dead in France Latelye.

¹ Died March 20, 1597.

² Father Pollen, S.J., suggests that this is James Drummond of Inchaffray.

³ Wm Chisholm, Bishop of Dunblane & Vaisson.

L. Bishop of Glasgow in Scotland, he is in Paris, France.

Sir Robert Douglas a Jesuite, brother of Erle Anguis.

{ Mons^r James Gremes, Scots Captain brother of L. Fintray
beheaded. he hath moche money of Pope . . . 15, and a Jesuite
Englishman.

These are gone from Rome to France to L. Wemes and then to
England & Scotland to rayse men at Carcobre in Scotland to help
Erles Angus & Huntly.

{ Monss^r Cassels, Scots Captaine.

{ Monss^r Mr. Sample, Coronet Captin,

{ George Gordon a Jesuite Scotsman oncle to Erle Huntley these
three are gone from Roma to Spayne to go w^t Armado by sea.

Lytle Adams, Scotsman, post messenger betweene Scotland & Rome
he came to Roma latelye.

Lord Gowrey yonge sonne of Erle Gowrey Scotseman protestant, he
is returned from Roma to Padua¹ & to France.

Sir Wm. Keith, Scotseman, Protestant. Tutor of L. Gowrey.

I sent a copy of this writting to Sir R. Cecill, Secretarie, wt my
letter dated the 21 February 1597 in Venise.'

A. FRANCIS STEUART.

THOMAS THOMSON AND COSMO INNES.

IN the Mitchell Library, Glasgow, is the copy of Anderson's *Diplomata*
which belonged to the advocate Thomas Thomson, so well known for
his editorial labours over the Scottish Acts of Parliament and in many
fields besides. It was part of the collection purchased by the Mitchell
Library from the representatives of Professor Cosmo Innes after his death
in 1874. On a fly-leaf of the book there appears the following inscription
in Cosmo Innes's handwriting:—

'Cum libri amici mei nunquam obliviscendi Th. Thomson
prostant venales, solum hunc librum—heu, quoties cum quondam
domino versatum, tempore felici!—emere curavi.

1842.

C. I.'

[When the books of my never-to-be-forgotten friend Thomas Thomson
were exposed for sale this book alone I took the opportunity to purchase.
Ah me, how often it was consulted—happy was the time—in the company
of its then owner!]

One finds in the words a genial and touching memorial of the association
of those two most famous of Scottish record antiquaries, a charter-scholar
and his 'Master.'

¹ Padua, under the protection of the Republic of Venice, harboured Protestants.

Reports and Transactions

PROFESSOR HUME BROWN took for his course of six lectures (Nov. 9-20)

'Scotland in the Time of Queen Mary.' First he described the general appearance of the country. Although no contemporary had such a knowledge of his native country as would have enabled him to present a picture of it as a whole, different descriptions of native historians, notes of foreign visitors, and casual references in documents, gave a tolerably precise notion. One peculiarity struck all foreign visitors—the general absence of timber. The disappearance of timber had been a gradual process. Writing in 1617, Sir Anthony Weldon declared that Judas could not have found a tree in Scotland on which to hang himself. But this was only one of the gibes of that splenetic southron, though it was true that throughout the southern half of the country wood was scarce. Everywhere there were mosses, and even lochs which have disappeared. The Scotland of Queen Mary, however, was no land of swamps and wildernesses. It was unlucky that some of the most productive districts adjoined the 'old enemy of England.' One who visited Scotland in the sixteenth century had noted that the houses had 'stone walls not as high as a man, upon which the roofs were erected and covered with sod.' Another described an abode in a village as of 'one course of stones, another of sods of earth, and with a door made of wicker rods.' Englishmen spoke contemptuously of the houses, but Spaniards, who visited England in the reign of Mary Tudor, spoke with equal contempt of the homes of English peasants, which they described as made of 'sticks and dirt.' The condition of the Scottish peasantry seemed to compare favourably with that of the same class in France and Germany. One peculiarity of Scottish towns was the absence of walls. Native writers had explained that the Scots were too brave a nation to need them. The real reason was the expense of constructing and maintaining them. Perth alone possessed defences after the continental manner. Scottish towns had to be content with dykes generally rickety and constantly under repair.

The best known description of Scottish towns was that of Pedro de Ayala, representative of Ferdinand and Isabella at the Court of James IV. Glasgow was considered the most beautiful, while Edinburgh impressed the stranger as the most peculiar. The whole population of the country was roughly estimated at about 500,000. Edinburgh might have contained about 30,000 inhabitants. Aberdeen had about 4000; Glasgow about 2250 adults. Travellers were few. The great wanderers of the

*Rhind
Lectures
in Arch-
æology.*

time were the beggars, who must have made up little less than a fourth or fifth of the population.

Next came under examination the conditions of life in the country. Most of the feudal lords still continued to live in the grim abodes of their fathers, but they had begun to adopt the new fashions of life. So had the lesser gentry. Though attended by some disadvantages, tenure by feu-farm now becoming general was equally in the interest of the landlord and tenant.

In Sir David Lyndsay's *Satire of the Three Estates* there was a vivid sketch of the class of cottars in the portrayal of the pauper. Their condition was such that by Mary's time the immigration from country to town had begun. The townsmen's cattle and sheep browsed on the town common under the charge of the town cowherd and shepherd. In the town moss men and women dug and stacked peats, and in the town warren and fishings there was similar activity. There were multitudinous middens and pig-styes. The parish church burying-ground was at once the favourite haunt of all the town beggars, the general grazing-ground, and the place into which refuse could be shot. Owing to the erection of tol-booths, the church had ceased to be the common meeting-place for business, though still frequented more 'for malice and mischief than for God's service.' What had been said of the external appearance of the Scottish town equally applied to its internal organisation; it was still essentially mediaeval. The prime consideration of town policy was security and self-defence. The security the town required was double protection from actual violence, and from the conflicting interest of rival communities. The first condition of citizenship was the possession of the full equipment of weapons and armour. Originally the town territory was on the domain of some superior—king, baron, or ecclesiastic. Subsequently the Crown granted the town territory and its adjuncts in feu-farm. By degrees the town itself took over the levying equally of petty customs at gates and market, and of great customs from commodities shipped for foreign countries. The most lucrative exports were barley and oats, hides, skins, wool, coal, salt, coarse cloth, and fish. Of these, sheepskins, wool, herring, salt, and cloth were the most valuable. The chief manufactures were plaiding, salt, linen, knitted hose, and gloves.

If the records of the burghs were to be trusted, we must conclude that a sixteenth century Scottish town was a sufficiently lively place. On the one hand were the burgesses or freemen, on the other the non-burgesses or unfreemen. According to law of burgh, not unfrequently broken, the unfreemen could not follow any handicraft or trade. But if the freeman had privileges, he had responsibilities. He paid a considerable sum for admission to burgess-ship, took his share in watch and ward, and had to be ready to don his jack, and march with his fellow-burghers wherever his King required his services. Besides the cleavage between burgesses and non-burgesses, there was a further subdivision, with chronic antagonisms between the merchants and crafts. Each town had its musicians. Most popular was the annual frolic of Robin Hood and Little John, interdicted in vain. Within doors cards, dice, and backgammon were

the chief games, and betting was general. Outdoor games were catch-pully or tennis, football, golf, and shooting with the long-bow, cross-bow, and culverin, though this practice was hardly regarded as an amusement. Most of the burghs had their annual horse-race. In the reign of Mary there was a rapid increase in luxury of living. In the towns wheaten bread was to be had, but the bulk of the people were content with oatcakes. Wine was the beverage of all persons of substance, ale the general drink.

Besides the religious revolution, other processes were eventually hardly less powerful in transforming the ideals of the nation. The sixteenth century saw the schism from Rome, and an equally decisive breach with the old economic system. In Scotland anti-feudal tendencies were at work as in the rest of Christendom; and Scottish sovereigns as deliberately aimed at absolute power by suppressing the nobility as did contemporary rulers of England and France. Such a policy was aided by tendencies of the time. The old feudal ties could not retain their strength against the new religious spirit and the new developments of commerce. The rich burgher had come to play a part of increasing importance in the social order. By the close of the sixteenth century these influences had borne full fruit, and James VI. pared the claws of the once formidable Scottish nobles, who sank into what they had long been in England and France—the creatures or nominated officials of an all-powerful Court. A second characteristic of the Middle Age had been the immense place of the Church. When the Church ceased to be the principal ministrant to material as well as spiritual wants, it remained in possession of the chief sources of wealth. On the eve of the Reformation it owned half the wealth of the kingdom. Hence it was that not only the nobles, but the merchants looked askance at men who, ceasing to be producers of wealth, were principal consumers. A third characteristic of the Middle Ages had been the system under which each town formed an isolated economic centre, regulating its own interests and relations to the rest of the world. One development of the sixteenth century was the transition from a municipal to a national basis in trade. As regards craftsmen England broke away from the mediaeval economy, while Scotland held fast to tradition. In the Middle Ages none but burgesses were allowed to practise any craft, but the suppression of the English craft guilds admitted any one who possessed the requisite skill. In Scotland the crafts were never more powerful than in the sixteenth century, and were rigid in their exclusiveness towards 'unfree' craftsmen. The backwardness of Scotland in the new economic developments was due to the fact that the rapid growth of capital found in England and other countries had not taken place in Scotland because of its limited area, the character of its soil and climate, its unfriendly relations with England, and its remoteness from the trading centres of the Continent.

A PLEASANT sign of the growth of historical study appears in the foundation of the Glasgow University Historical Society, due to the Glasgow initiative of Professor Medley. The opening lecture (Nov. 20) University by Professor Richard Lodge, on 'Great Historians,' inaugurated Historical the enterprise most hopefully with the promise of popular success Society. and a working spirit. In presiding, Professor Medley remarked that the time had now come when it was proper that the subject should be represented outside the walls of the lecture-room. The curriculum as it stood admitted hardly at all of original work being done within the scope of the University classes, and a useful function was to be served by encouraging those who had some contributions of their own to make. Professor Lodge gave the palm among great historians to Thucydides and Tacitus. Of British authors, Gibbon and Macaulay were reckoned chief. Of Scottish historians, Robertson was most extolled for his philosophic comprehension of the periods he covered. Incidentally the lecturer urged, as a preliminary necessity for effective study, the establishment of a national library, whether on the basis of the existing Advocates' Library or otherwise.

MR. NELSON ANNANDALE, in a paper (Nov. 2) on 'The People of the Faroes,' mainly devoted to anthropology and craniology, touched Royal on the history of the islands. He pointed out that a very large Society of proportion of the personal names on his list were Biblical, and Edinburgh. only a very small proportion Norse. The Faroes were colonised by Vikings of Norse extraction, many of whom were also descended from Iberian chieftains of the Hebrides and Ireland. There was no reason whatever to think that the islands had other human denizens when the Vikings came except, perhaps, occasional anchorites seeking to outdo their fellows in the way of finding 'solitudes.' The people, descended in the main from ancestors whose blood was somewhat mixed, but chiefly Norse, had remained more or less isolated for about a thousand years, except for casual immigration probably 'Celtic' or Iberian, from Scotland, Ireland, or the intermediate isles. The Icelandic race had been more strictly isolated than the Faroemen.

THE EARL OF ROSEBURY, moving the adoption of the annual report (Nov. 28), congratulated the Society on the standard maintained by its Scottish publications. He spoke of the forthcoming *Miscellany* and History sketched its contents, part prose, part verse. He then went on Society. to urge the keeping in view, and strongly in view, the human aspect of Scottish historical literature. He thought that charters, historical documents couched very often in medieval Latin, should be left rather to societies formed for the purpose of preserving such documents, and that the Society's energies should as far as possible be confined to those family papers, diaries, account books, and what not, which served to throw light on the domesticity of the past, and to give some inkling of what the people inhabiting this country before ourselves were like. Very often old account books preserved by the care of the Society gave a better idea of how a

Scotsman of the 17th or 18th century spent his day than all the histories of Scotland that ever were written. At a subsequent stage his lordship, on behalf of members of the Society, made a presentation of a silver bowl with a purse of two hundred guineas to Dr. T. G. Law, hon. secy. He said there was not a person conversant with the work of the Society who did not know the deep debt, the eternal debt of gratitude it owed to Dr. Law.

PRINCIPAL STORY, in moving the adoption of the twentieth annual report (Nov. 30), said he had been struck in reading Lord Rosebery's speech to the Scottish History Society by the statement that the old documents which were to be found in Scottish houses, such as accounts, letters, and things of that sort, gave more insight into the history of the country than any history that ever was written. Now, these things were no doubt of great value. Even kitchen accounts and letters, even love-letters, had their value, but it was an economic and a social value. No amount of mere domestic annals could throw more light upon the history of any period than such works as those published by the Scottish Text Society, which were the literary remains of the men of letters of former days.

SIR HERBERT MAXWELL was re-elected President (Nov. 30). The Hon. John Abercromby, Hon. Secy., reported on the work of this Society during the past session, referring also to the excavation of Roughcastle on the Roman wall and other excavations of prehistoric sites in Bute, Argyll, Perthshire, and Aberdeenshire. A chief addition to the Museum had been the collection of Professor Duns, consisting of 230 objects, chiefly Scottish, acquired by purchase, and an ethnological collection of 90 objects, presented by Professor Duns.

THOUGH the past few years have witnessed a gratifying increase in the number and activity of societies interested in antiquarian research, it can hardly be said that the present position of historical and archæological learning in Ireland is worthy of the best traditions of the last century. Even so far back as the eighteenth century, when such pursuits were in their infancy, the study of Irish local history had made considerable progress under the guidance of the Physico-Historical Society, a body with which the well-known county historians, Charles Smith and Walter Harris, were closely identified. A school of historical research sufficiently important to attract the patronage of the State, at a time when the State concerned itself little with such inquiries, was formed in Dublin. Perhaps there are few earlier instances of State endowment of research in the three kingdoms than the recommendation of a Committee of the Irish House of Commons, as far back as 1755, to appropriate a sum of above two thousand pounds to the publication of a mass of Irish historical materials collected by Harris and his colleagues. Just thirty years later the Royal Irish Academy was incorporated by Royal charter, 'for promoting the

*Scottish
Text
Society.*

*Society of
Anti-
quaries of
Scotland.*

*Irish
Historical
and
Archæo-
logical
Societies
and
Journals.*

study of science, polite literature, and antiquities.' The institution of the Academy gave a valuable stimulus to organised research; and although in one aspect of its functions the Academy corresponds rather to the Royal Society than to a historical society, it has exercised, from its foundation to the present day, a predominant influence in the field of trained historical inquiry in Ireland. For above sixty years, indeed, and until the formation of the Kilkenny Archæological Association, the Academy was without a rival of any kind.

The Kilkenny Association, founded in 1849, was the first society organised in the nineteenth century for the study of local history and antiquities. It quickly justified its existence. Limited at first to Kilkenny and its neighbourhood, its members soon took all Ireland for their province, and the Society was expanded in 1869 into the Royal Historical and Archæological Association of Ireland. Since 1890 it has been known by the briefer title of the Royal Society of Antiquaries of Ireland; but it may, perhaps, be doubted whether the Society added to its influence by abandoning the adjective 'Historical' in its title. Following closely on the Kilkenny Society came the informal association of Ulster antiquaries, whose fruitful labours are perpetuated in the nine volumes of the first series of the *Ulster Journal of Archaeology*, which ran from 1853 to 1862.

Within the past few years, however, there has been a very considerable extension of the sphere of historical and archæological inquiry in Ireland. Since 1890 several societies have been formed to elucidate the antiquities of particular localities. There are now, in addition to the Royal Irish Academy and Royal Society of Antiquaries, at least four archæological journals in active existence. Established respectively in Belfast, Cork, Galway, and Kildare they correspond roughly to the independent interests of the four provinces of Ireland. There is also a Waterford and South-East of Ireland Society, but no issue of its journal has appeared for above two years.

Professor Bury, in his recent inaugural address at Cambridge, dwelt upon the task which lies open to the critical antiquaries of the three kingdoms 'of fixing, grouping, and interpreting the endless fragments of historical wreckage which lie scattered in these islands.' It is fair to say that considerable progress has been made of late years in dealing with the large share of this 'wreckage' to be found in Ireland. The publications of the various societies for 1903 give evidence of this. Both the *Transactions* and the *Proceedings* of the Royal Irish Academy contain important contributions from Mr. T. J. Westropp, whose systematic examinations of the archæological remains in the counties of Clare and Limerick are aided by admirable photographic reproductions. In the *Wars of Torlough* Mr. Westropp examines the evidence bearing on the historical character of 'one of the few books of mediæval Ireland purporting to give a full history of some period or episode of its later Annals,' and endeavours to show how far the statements in this thirteenth century work, hitherto neglected as purely romantic and unreliable, are corroborated by the positive testimony of contemporary topographical records or remains. In *The Cists, Dolmens, and Pillars in the Eastern Half of the County Clare*, Mr. Westropp con-

tinues or expands an earlier inquiry into the distribution of Cromlechs in the County of Clare, the fruits of which have already appeared in part in Mr. Borlase's *Dolmens of Ireland*. Mr. H. F. Berry, the Assistant-Deputy Keeper of the Irish Record Office, gives an excellent note on a manuscript Inquisition of the thirteenth century relating to the ancient Dublin Water-course. Professor Bury writes, with his usual wealth of learning, on *A Life of St. Patrick* (Colgan's *Tertia Vita*), and on *The Itinerary of St. Patrick in Connaught according to Tirechan*. Of papers more intimately related to the general history of Ireland, may be mentioned Mr. Litton Falkiner's paper on *The Irish Counties*, an attempt to trace their gradual formation and delimitation from the days of King John to those of James I.

In the *Journal of the Royal Society of Antiquaries*, the new President deals, in his opening address, with topics connected with the royal arms and coinage of Ireland, subjects suggested by the advent of a new Sovereign to the Crown, in which Mr. Garstin's intimacy with *curiosa hibernica* is strikingly exhibited. Dr. H. Jackson Lawlor edits the *Diary of Archbishop King* during his imprisonment in Dublin Castle (1688-9). It is impossible to conceive a more microscopic annotation; but it is a little astonishing to learn that so much industry has been expended on the document without the editor having seen the original, which is in the possession of Capt. J. A. Gordon King, Tertowie, Aberdeenshire.

The Journals of the local societies are scarcely as interesting as usual. In the *Journal of the Cork Archaeological Society* Mr. F. Elrington Ball continues his valuable 'Notes on the Irish Judiciary in the reign of Charles II.,' and Mr. E. R. Dix supplements his industrious bibliography of early printed books produced in Cork. The work of the *Kildare Archaeological Society* has been for some time past almost exclusively genealogical, and the appearances of the *Waterford Journal* are intermittent; while the *Ulster Journal of Archaeology* falls below the level of its earlier fame. In its current number at least two of the papers are merely reprints. Indeed the most active of the local societies appears just now to be that lately established in Galway.

DR. T. H. BRYCE gave (Dec. 17) an account of his excavations of a number of cairns in Bute. They disclosed the persistence of a type of burial cairn, prevalent in Arran, and proved to have undergone a later modification in the structure of the chambers. One find was specially important as revealing a cairn, illustrative of the modified type, constructed on the top of a kitchen midden. The character and ornament of the urns brought to light in the excavations were also found to correspond with the similar pottery discovered in the Arran cairns, except that in one of the chambers of the modified type of cairn several urns of the drinking-cup class were discovered which indicated that those chambers represented a terminal phase of this kind of cairn.

Glasgow
Archaeo-
logical
Society.

Queries.

'MARJORIE' COMYN OR DUNBAR.—The history of this lady is obscure, and it is desired by this query to obtain information regarding her. According to Wyntoun, in his *Chronicle* [Laing's Ed., Vol. ii., p. 310], 'the eldest' daughter of Alexander Comyn, who was Earl of Buchan from 1243 to 1287, married 'Patrick, Earl of Dunbar,' and had issue, Patrick, also of Dunbar. The chronicler gives *no name* to the lady, and does not state definitely which Earl Patrick was her husband. Wyntoun wrote between 1400 and 1420. On 18th February, 1400, George Dunbar, tenth Earl of March, wrote to King Henry the Fourth of England: 'Gif Dame Alice the Bewmont was yhour graunde-dame, Dame Marjory Comyne, hyrre full syster, wes my graunde-dame on the tother syde,¹ sa that I am bot of the feirde degree of kyn tyll yhow, the quhilk in alde tyme was callit neire.' The Earl here asserts that 'Marjorie' Comyn was the name of his 'graunde-dame,' or great-grandmother. The Chronicler Wyntoun and the Earl of March, in 1400, are the only authorities for the lady's parentage, name, and marriage.

The Earl of March, however, states that 'Marjorie' Comyn was the full sister of Alice Comyn, who married Sir Henry Beaumont and became the great-grandmother of King Henry IV. But as Mr. Bain [*Cal. of Documents relating to Scotland*, iv., p. xxiv] rightly points out, 'Marjorie' Comyn, if the daughter of Alexander, Earl of Buchan, must have been the aunt and not the sister of Alice Comyn. The accompanying diagram will illustrate this and other points. Unhappily, Mr. Bain's opinion, otherwise valuable, is of less weight on the main question, as the pedigree he gives is not consistent with the evidence, and while he accepts or assumes the existence of Marjorie Comyn, he advances no original proof in support of that or of her marriage. The diagram will show the steps of ascent, which are quite well known, from King Henry IV. to his 'graunde-dame' Alice Comyn or Beaumont, who was married about 1306, and only came of age in 1312. She had, so far as is known, only one 'full syster,' Margaret Comyn, who married first, before 1310, Sir John Ross, and secondly Sir William Lindsay.

¹ The Earl apparently means that as Alice Comyn or Beaumont was a 'graunde-dame' of King Henry on the mother's side (*see* diagram), so 'Marjorie' was a 'graunde-dame' of his own on the 'tother,' or father's side.

DUNBAR.

Ada (1184) = Patrick, 5th Earl of = (c. 1218) Christian [Bruce]
daughter of King 1182-1232.
William the Lion

Patrick, 6th Earl = Euphemia Stewart
d. 1249.

Patrick, 7th Earl = "Cecilia Filia Johannis"
b. 1213—d. 1289 [Fitz-John ?]

1
Patrick, 8th Earl = ? ?
b. 1242—d. 1309 Sir Alexander = [wife
named with his unknown]
brothers in 1286, etc.,
living in 1331.

Ermigarda = Patrick, 9th Earl = Agnes Ran-
(1300- b. 1282—d. 1368 dolph.
1320-1368
[no issue]

John Dunbar
d. v.p. s.p. between
1354 and 1363

Sir Patrick = Isabella
son of Sir Randolph,
Alexander sister of
in 1331— Agnes.
d. 1357.

George, 10th Earl of
Dunbar, b. 1336 or
1340. Succeeded his
'cousin' Patrick, 9th
Earl, and became Earl
of Dunbar in 1368.

BUCHAN.

Alexander Comyn, Earl of = Elizabeth de
1243-1287 Quincey.

2

'MARJORIE' Sir Alexander John, Earl
said to have m. Joanna Latimer. of Buchan
married Patrick, d. s.p.
Earl of Dunbar. Born about
1260.

1
ALICE = Sir Henry Beaumont Margaret
m. about 1306 m. (1) Sir John Ross
'grande-dame' (2) Sir William Lindsay.
of King Henry IV. No issue.

Henry, Duke of = Isabella Beaumont
Lancaster.
d. 1361.

John [of Gaunt] Duke of Lan- = Blanche of Lancaster.
caster, b. 1340—d. 1399.

King Henry IV.
born 1366.

In this diagram the unnecessary names are omitted. The numbers of the Earls of Dunbar do not coincide with the Peerages,
but may be taken as correct.

Margaret died without issue to either husband, and in any case she could not have been 'graunde-dame' to George, tenth Earl of March, as he was born at latest before or about 1340, and may have been born in 1336.

On the other hand, Alexander Comyn, Earl of Buchan, was himself born not earlier than 1211 or 1212, and if his 'eldest' daughter was 'Marjorie,' she might have been born about 1236, though probably some years later. There are reasons for believing that her father and mother were not married until after 1240, and her eldest brother John was, apparently, born only about 1260. [Bain's *Calendar*, i., No. 421.] Marjorie was thus a contemporary with Patrick, eighth Earl of Dunbar, who was born in 1242, and it is to be noted that he is the only Earl Patrick whose wife the writer has not been able to discover. But if 'Marjorie' were the wife of the eighth Earl, it will be seen, accepting the diagram as correct, that she could not possibly be the 'graunde-dame' of the tenth Earl. To occupy the position which he assigns to her, she ought to have been the wife of the seventh Earl; but there is strong reason to believe that Cecilia Fitz-John, the only recorded wife of the seventh Earl, was mother not only of his eldest son Patrick, eighth Earl, who indeed calls her such, but of his other sons. [*Liber de Calchou*, i., pp. 57, 60; *Chartulary of Coldstream*, Nos. 1, 14, 16.]

According to Sir Robert Douglas, in his *Peerage of 1764*, the eighth Earl of Dunbar married Marian, daughter of Duncan, Earl of Fife, but no proof is adduced. Mr. Wood, in his edition of Douglas, marries the eighth Earl to 'Marjorie Comyn,' quoting Earl George's letter already cited, but he makes Earl George her grandson and not her great-grandson, as the Earl asserts himself to be. It will be seen that the descent of Earl George, given in the diagram, does not correspond with the peerages which make him the son of the ninth Earl of Dunbar, but it is according to the latest and best authenticated information. The seventh Earl had issue three sons, the eldest of whom was Patrick, eighth Earl, whose male line, so far as known, failed in his grandson. The youngest son, Sir Alexander, whose wife has not been ascertained, had a son, Sir Patrick, who in a charter of 1331 [Raine's *North Durham*, App., No. 432] speaks of himself as son of Sir Alexander Dunbar. It is not absolutely certain, but there is strong presumptive evidence, founded on original charters, seals, and contemporary history, that it was this Sir Patrick who married Isabella Randolph, younger daughter of Thomas Randolph, Earl of Moray, and sister of Agnes Randolph, and was the father of George, tenth Earl of March. [See Bain's *Calendar*, Vol. iv., pp. xx-xxiv, for a convenient presentment of evidence.] It will thus be understood that, as the diagram indicates, Earl George was not the son but the cousin of the ninth Earl, who indeed expressly styles him 'cousin' in a charter of 1367. [Raine's *North Durham*, App., No. 142.]

The query therefore is: Can any reader give proof, quoting original authorities, as to which Earl of Dunbar married 'Marjorie' Comyn, and, if it were the eighth Earl, show how she could be the great-

grandmother or 'graunde-dame' of George, tenth Earl? Also, granting that Marjorie's husband was not an *Earl of Dunbar*, can any one give valid proof that she was Earl George's 'graunde-dame' in any way on the father's side? The pedigree stated in the diagram is warranted by the facts at present known, but the writer will be obliged to any reader who can state other facts tending to elucidate the pedigree further. It might be assumed that Marjorie Comyn was the wife of Patrick, eighth Earl, and that Earl George simply made a mistake as to his own degree of relationship to her; but this requires proof, and as he was correct about King Henry's descent, it seems odd he should mistake his own. Another assumption might be that 'Marjorie' was the second wife of the seventh Earl and the mother of his son Alexander, which, according to present knowledge, would make Earl George's statement correct. But no proof has been found to warrant this assumption, and the writer has been unable, though searching diligently, to find any evidence of Marjorie Comyn's existence or any mention of her name in any writ or record of her period. Wyntoun and the letter of 1400 are still the only authorities for the existence and name of Marjorie.

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JOHN ANDERSON.

HOWIES OF LOCHGOIN. In the preface to my illustrated edition of the *Scots Worthies* (1870) the suggestion was made that the original form of this name was *Huet*, and that therefore the Scotch method of pronunciation is correct. Some years ago, in connection with the unveiling of the monument to the author of that volume, the *Glasgow Herald* in one of its leaders referred to the Bishop of Avranches and also a Cardinal Huetius as descended from the same stock. Can any information be given regarding this Cardinal which would favour this theory? In the autobiography of Huet, Bishop of Avranches, it is mentioned that his father 'was born and bred in the midst of the errors of Calvinism.'

W. H. CARSLAW, D.D.

ACCOUNTING. In connection with a forthcoming *History of Accounting and of the Accountant Profession*, the editor would be glad to receive information as to early forms of Accounts or Accountant's Reports and as to professional Accountants of the Eighteenth century or earlier.

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RICHARD BROWN, C.A.

JAMES V. OF SCOTLAND. In the *Blood Royal of Britain*, by the Marquis of Rivigny, we look in vain for the 'natural' descendants of James V. Of these one was the celebrated Regent Moray; but who were the other five who were afterwards legitimated by the Pope, and on whom important titles and benefices were conferred? Where can reliable information regarding them be obtained? There is a footnote in chap. 34 of *The Abbot* referring to the names of certain of his favourites which occur in a celebrated epigram. Where can this epigram be seen?

W. H. CARSLAW, D.D.

Replies

FIRST PRAYER BOOK OF EDWARD VI. I wish to protest against the amusing attempt the Reverend Professor Cooper makes, in his notice of the 'First Prayer Book of King Edward VI.,' to identify the 'altar' spoken of by our Lord in the Sermon on the Mount (Matt. v. 23, 24) with the Communion Table, or, as he calls it, the Holy Table. The veriest tyro in interpretation must see that our Lord means the Jewish Altar of Sacrifice on which gifts were laid for the priests to offer. Professor Cooper here joins hands with the Roman Catholic exegetes who find in the passage ground for the permanent Sacrifice of the Eucharist, and a law which is for ever valid (see Döllinger, *Christenthum und Kirche*). It is obviously the same Jewish altar that Jesus again refers to in Matt. xxiii. 18, 19, 20; and unquestionably the same in verse 35 (parallel, Luke xi. 51). These are the only occasions on which our Lord uses the word. Again, if the *θυσιαστήριον* of the Epistle to the Hebrews (vii. 13; xiii. 10), Professor Cooper's other allusion, refers to a visible altar at all, and not to a symbolical one, it can only mean the body of Christ upon which the sacrifice of the New Covenant was presented. It certainly does not refer to the Communion Table, which is mentioned by Christ in one place only, viz. Luke xxii. 21, and is there plainly called 'the table.'

COLIN CAMPBELL.

The Manse of Dundee.

[Professor Cooper has written to the editor expressing his astonishment at the suggestion that Our Lord in the Sermon on the Mount was laying down laws for Jews as such. He maintains on scriptural and patristic authority that Christ was speaking to Christians and that the divine words are to be interpreted in a Christian sense. (Matt. v. 1, 21, 27, 33, 43, vii. 6. *Testamentum Domini* i. 23. *Didaché* ch. 9.) Regarding Dr. Campbell's exegesis as shallow, Prof. Cooper resents as unjust and baseless the insinuated imputation to him, by his critic, of the Roman doctrine of the Eucharistic sacrifice. To theological debate, however, in these columns the wand of peace must be interposed. *Non nostrum.*]

CORN-BOTE (*Sc. Hist. Rev.*, i. 104). I think it is a pity that my explanation, given in *Notes and Queries*, 9 ser. x. 115, has been so completely ignored. It seems to me much more satisfactory than any other; and it has been accepted by others, which is something.

The explanation of *corn* as meaning 'chosen' is impossible. It throws the accent on *bote*, and destroys the alliteration. And it makes no sense at all.

Nor can I see that 'corn-compensation' makes any sense either, whether corn was cheap or dear. No attempt is made to show how it suits the context in the three known passages. I think no one will defend such an explanation who will take the trouble to construe the whole of the passages concerned. A compensation in corn would be a thing which *no* one would like to pay. But in each case the context shows that the speaker would be delighted to make the payment, and hopes and trusts that he only may get the chance! What possible sense is there in saying—'I hope I may make him compensation in corn!'

What I have suggested came in the first instance from Mr. Gollancz, who pointed out to me the emphatic way in which the word was used, and the high probability that the *corn-bote* in l. 1837 of the *Morte Arthure* is connected with the words *skornede* and *skornfull* in the end of the very same sentence.

We therefore think that the *corn* is not an English, but a Norman word. In fact, the French *corne*, a horn, has many derivatives; appears in many passages, and is the original of the 'horn' which figures as being, by a long way, the commonest subject of comment, jest, equivoque, and repartee in nearly every English dramatist.

And if it must be some sort of payment, we have its counterpart in the O.F. *cornage*, which Cotgrave explains by 'hornage; an yearly duty of corne exacted by the Lord Chastelain of Berri upon every ox that labours in the winter-corne-ground which is within his territory.' Here, indeed, we actually find mention of corn in the English sense; but the whole matter is unintelligible still, till we remember that *cornage* is derived from *corne*, a horne; and that the payment was made for 'every ox.'

References to the commonest book of the Middle Ages, viz. the Vulgate Version of the Bible, show at once the Biblical sense of *cornu*. Literally, it is 'horn'; but it is usually employed symbolically as the emblem of pride; and its secondary sense is actually pride, as Cotgrave again tells us.

He gives: *Corne*, a 'horn,' with many proverbs, such as '*corne prendre*, to wax proud; *baissier les cornes*, to humble himself, to let fall his crest'; and so on. So much more appears to the same effect in Godefroy's Old French Dictionary, and in the Supplement to the same, that I think those interested in the subject should look the word up for themselves. One very significant related word is *corner*, to sound a horn, especially at the death of a deer.

I take *corn-bote* to mean 'horn-boot,' i.e. payment for the horn, the instrument of injury and the symbol of boasting; hence, repayment for boasting, punishment for bragging. And the bragging is conspicuous in all the cases. Hence it really means, not in the least a desirable or compulsory payment, but a punishment which the payee will remember and be sorry for.

Hence, in *Morte Arthure*, 1784, we have: 'Yon king' said Sir Cador 'talks bigly, because he has killed this warrior: now he shall have his

horn-boot.' Accordingly, he attacks this king, and fells him, and then proceeds to tell him (in l. 1837)—'Now you have got your horn-boot, for killing my cousin; you scorned us and uttered scornful words, and now you have fared (as you threatened); it is your own harm.' This expresses the satisfaction of one who has paid a man out in his own coin, by doing to him as he boasted that he had done to others.

In Bruce, ii. 438, *corn-but* is, accordingly, the right reading. Here the story is, that Sir Philip de Mowbray was boasting that he had captured Bruce, when the latter was happily rescued. Bruce suggests retreat, but hopes to requite his foes some day with 'horn-boot,' i.e. punishment for their insolence in 'setting up their horn on high.'

I submit that this makes good sense, and that the taking of *corn* in the English sense makes nonsense of all the contexts. I am hampered in my explanation by the fact that it would require much space to set out all the evidence.

WALTER W. SKEAT.

[That our most learned correspondent was not 'completely ignored' he will see on consulting the reference given *ante* p. 104 to the *Scottish Antiquary*, xvii. 123, where express attention was drawn to 'the position of Prof. Skeat (*Notes and Queries*, Ninth Series, x. 115).' Objection was then taken 'that compounds in *bote* are almost all English in both limbs, and that hybrids are exceptional.' Thus *e.g.* *brigbote*, *burhbote*, *cartbote*, *cynebote*, *dedbote*, *feosbote*, *firebote*, *frithbote*, *heybote*, *hadbote*, *husbote*, *kinbote*, *manbote*, *plowbote*, *theftbote*, are English in both syllables. How many examples can be given of a 'bote' compound showing such a conjunction as O.F. *corne* and O.E. *bote*? *Cornage* keeps strictly in character: in English it is *horngeld* and *noutgeld*, each a purely English combination.

To this question Prof. Skeat rejoins:—'Of course compounds of *-bote* are usually English in both their parts. So also compounds of *-mele*, as in *flok-mele*, are mostly English. Yet in *pece-mele* (Rob. of Glouc.), *pece* is French. My point is that I explain all three passages; and the other view explains none of them, as it does not explain the word at all in such connexions.']

STEVENSON (i. 103). This Mr. Stevenson was a merchant in Edinburgh—Christian name Samuel. He died at Crosscauseway, near Edinburgh, on the 21st May, 1771. He left a son, Alexander, who was a surgeon in that city, and married Anne M'Illewaith, having issue two children—Samuel and Cecilia.

With reference to the statement that Mr. Stevenson's first wife was Cecilia Millar of 'Walkinshaw,' this appears open to considerable doubt, as the estate of Walkinshaw did not come into the Millar family until *about* 1730, it having been acquired by William Millar, fifth son of Robert Millar, minister of Paisley, who married Elizabeth Kelso, 1702. In a memoir of a General Graham, published in Edinburgh in 1862, Millar of Earnock is mentioned, but no allusion is made to this family in Hamilton

of Wishaw's *Lanarkshire*. This author mentions Millers in Carmunock parish at Cathkin; in Monkland parish, estate of Kenmure; and in Erskine parish (Renfrew) at Barscuib. In *Davidson's Guide*, 1828, Millers of Slateford are mentioned. In *Scots Fasti*, William Miller is minister of Carmichael, 1747, and a William Miller is minister of Crawford-John, 1750. Cecilia Millar may have belonged to one of these families.

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J. M. GRAHAM.

WRAWES (i. 101). Whoever takes up Mr. Law's challenge, must try to determine first the language of this word, second its pronunciation, third its meaning. In the first place, the context affords some presumption in favour of French. Secondly, scholars more competent than myself have considered the initial W as a silent letter, and I hope some one of them will give his explanation in print; I have assumed that W is to be sounded as *oo*. Lastly, my suggestion is that Wrawes may be a phonetic spelling of *Houreaux*, plural of *Hourel*, which Godefroy explains *osier*?—the interrogation being suppressed in the Abridgement. The examples given show that *houreaux* were sometimes tied up in faggots, and that they could be used to cover bridges, to protect (or perhaps to train) newly planted fruit trees, or to maintain domestic discipline. Godefroy also gives verbs *houreler*, to cut young wood; and *hourer*, of barley straw cutting horses' mouths. *Houreaux*, whether meaning osiers in particular, or brushwood in general, would yield an appropriate sense. Can the word be etymologically connected with hurdle?

J. MAITLAND THOMSON.

'WRAWES.' In reply to Dr. T. G. Law (i. 101), I may say that the majority of the conjectures offered to me, while editing *The Chartulary of the Abbey of Lindores*, assumed that the word was pronounced 'raws,' or, in effect, that the initial 'w' was silent. One correspondent informed me that in the north of England the word 'rice' is used for 'brushwood or undergrowth.' Dr. J. Maitland Thomson, on the other hand, suggests, with what seems to me considerable probability, that the word 'wrawes' was an attempt to represent the old French word 'hourreaux,' 'houreaulx,' which appears as the plural of 'hourel,' interpreted as 'osier' by Godefroy in his *Dictionnaire de l'ancienne langue française*. The examples cited by Godefroy would in nearly all (indeed, perhaps in all) cases yield an equally good sense if the word were rendered twigs, rods, or cuttings from the branches of a tree. If this be correct the 'wrawes de bule et de auhne' would be 'rods (or twigs) of birch and of alder.' All three terms, on this supposition, are of French origin. The initial 'w' would thus be sounded probably with the vocalisation of 'u.'

J. DOWDEN.

Notes and Comments

An altar dedicated to Oceanus found on the site of the Aelian bridge at Newcastle, was discovered in the early summer of 1903.

A dedication to Antoninus Pius by three wall-building legions. Later in the year an inscribed slab was found at the same place and has been discussed by Mr. F. Haverfield and Mr. R. O. Heslop. As extended the inscription reads thus: Imp(eratori) Antonino Aug(usto) Pio p(atr)i pat(riæ) vexil(l)atio leg(ionis) ii Aug(ustæ) et leg(ionis) vi vic(tricis) et leg(ionis) xx v(alerïæ) v(ictricis) con(t)r(i)buti ex Ger(maniis) duobus sub Iulio Vero leg(ato) Aug(usti) pr(o) p(ræ)tores.

[To the Emperor Antoninus Pius, father of his country, a detachment of the Second Legion the August and the Sixth Legion the Victorious, and the Twentieth Legion the Valerian, the Victorious, being a draft (?) from the two Germanies, under Iulius Verus legate of the Emperor, with prætorian rank and power.]

Mr. Heslop before the Society of Antiquaries of Newcastle has emphasised an important connection of this inscription, of which the spelling is not impeccable and of which the limits of date are of course those of Antonine's reign, between A.D. 138 and A.D. 161. 'Detachments of the three legions here named,' says Mr. Heslop, 'were the builders of the Antonine Wall. Four of its sections were completed by those of the Second Legion, four sections by those of the Sixth Legion, and three sections of its length with other connected works were built by those of the Twentieth Legion. The work done is recorded by each for itself: in one instance only on the Antonine Wall are any two of the vexillations associated in one slab. But in the Newcastle inscription occurs the remarkable conjunction of all three vexillations.' Mr. Haverfield has suggested that the presence of the detachment was doubtless concerned either with campaigns connected with the erection of the Vallum of Antonine or with operations against the Brigantes. Certainly the temptation is great to consider the conjunction of drafts from these three legions for building purposes both between Tyne and Solway and between Forth and Clyde, as constituting a sort of presumption of approximation in date. Was it that the building experience of men from these legions on the Tyne had given them a special aptitude for such work as was to be done on the Antonine Vallum? Had we the date a little more closely narrowed down, inferences might have been hazarded regarding the relationship of the command of Lollius Urbicus to that of Julius Verus, especially on the points whether they were independent commands or one command held by the two in succession, and as to which commander

preceded the other. A first impression from the present stone goes, with other things, towards characterising the campaign of Lollius Urbicus in A.D. 139-40, with its outstanding feature, the building of the Antonine Wall, as an executive step, an official development of imperial policy, rather than the individual military expedient of a general in the field.

IN issuing concurrently *The New Testament in Scots* for the first time, and Wyntoun's *Chronicle* for the third time of publication, the Scottish Text Society presents works of the foremost importance. Notwithstanding the success of a recent movement to promote the Society in the West, the membership still needs material increase. Works such as those above-mentioned are the best proof that the programme of texts ahead of the Society is of the highest order, and that new subscribers need apprehend no decline in the calibre of what is to come. It is unnecessary to urge the variety of interests keenly touched by the Lollard Scotified recension of the New Testament, on which the ripe and special learning of Dr. T. G. Law on matters bibliographic, canonical, and linguistic has been so generously expended. To the student of history, however, the re-editing of Wyntoun is of more direct consequence, replacing with an authoritative text the well-thumbed current version. If there is a primary disposition to groan over the approaching necessity of consulting an edition in six volumes, instead of the present working edition in three, it gives place to a grateful confidence in the superiority of the new double-text, collated with all the MSS. by Monsieur F. J. Amours, an accomplished scholar and well-proved editor in Old Scots.

Scottish
Texts—
*New Testament and
Wyntoun.*

Among the manuscripts used is the Auchinleck one, formerly the property of the Boswell family, and now owned by Mr. John Ferguson, of Duns. Through his courtesy a page is herewith given (see also *Scottish History and Life*, 1902, p. 265) in facsimile. It is that containing the foundation passage of Scottish literary criticism, the citation from

Huchoune of the awle realle
In till his geist hystoryall,

concluding its laudation with that classic of biographical and bibliographic commentary which declares that men of good discretion

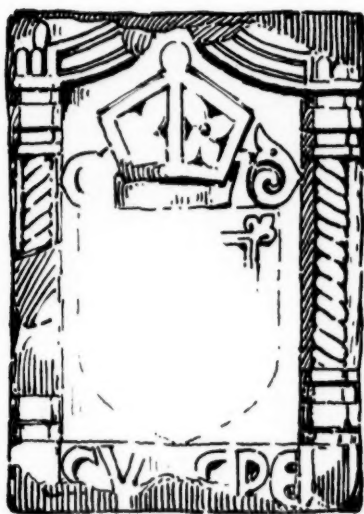
Sould excuse and loyf Huchone,
That cunnand was in literature:
He maid a grete geist of Arthure,
And the auenturis of Gawane
And the pystyll of suete Susane.

The variants brought out by the double text are numerous, and sometimes of particular importance as showing the author in the act of revision. The historical annotations of M. Amours are being reserved until the completion of the text. How necessary these notes are may be gauged from the fact that the Wemyss and Cottonian MSS., the bases of this edition, have not been printed before.

WE have received the following note from MR. MACGREGOR CHALMERS: *Sculptured Stone at St. Andrews.* 'Many ancient Sculptured Stones hidden deep underground have recently been brought to light at St. Andrews. The stone now illustrated has been in the public eye many days, but as it was thought to be too much defaced its story has not been read. It was found by my friend Mr. David Henry, architect, built with its sculptured face exposed inside the flue of a cottage which stood outwith the West Port, in the district called "Argyle," upon the site of Gibson's Hospital. Mr. Henry carefully preserved the stone and placed it in the Hospital boundary wall, at the angle of two streets. It is singular that although the stone is greatly worn, no part of its record has wholly disappeared. It measures two feet by one foot five and a half inches. The accompanying sketch makes it unnecessary to give a detailed description. The shield originally bore the arms of Dunbar, three cushions within a double tressure; the mitre has to its left and right the letters G. D., the initials of Gavin Dunbar, Bishop of Aberdeen; and at the bottom of the panel are the fragments of the letters which formed the Bishop's motto, SUB SPE. The stone evidently formed part of some property owned by the Bishop.

'Gavin Dunbar was Dean of his native diocese of Moray in 1487. In 1503 he was also Clerk of Register and of Council. He became Archdeacon of St. Andrews in 1506, and Bishop of Aberdeen in 1518, in succession to Bishop William Elphinstone. It was whilst he held the office of Archdeacon that the Choir of St. Andrew's Cathedral was furnished with new oak stalls. Of the two stalls now preserved in the Town Church—to be placed at the Communion Table when this Church is restored—one bears the arms of Dunbar. In the year 1527 Bishop Dunbar caused to be written at Antwerp the magnificent *Epistolare de tempore et de Sanctis* for the use of his cathedral. The illuminated letter illustrated in the published *Registrum* bears the arms, initials, and motto of the Bishop, as on this panel. Bishop Dunbar is perhaps most widely known as the builder of the great bridge across the Dee. He died in the year 1531.'

INAUGURATING *The Bar and Legal World* on its appearance in November as a fortnightly illustrated periodical, Mr. J. Ambrose Long has 'Dagger Money' on Tyneside. a long and fully pictorial article on 'A Border Custom.' In it he essays to account for the Newcastle custom of the Mayor and Corporation presenting the judges at the close of the Assizes with an ancient coin. Formerly, according to Mr. Long, the usage explained itself in the accompanying address to their lordships informing them that as their journey to Carlisle lay through border country infested by the Scots, they were therefore each presented 'with a piece of money to buy therewith a dagger' to defend themselves. It certainly makes a readable story. But there is reason to fear that, as certain historical and legal data in this essay are rather more popular and picturesque than critical, it may be found exceedingly difficult to make good the verity of the alleged tradition. So much at least is to be gathered from the course of recent discussion of the subject by one well qualified, both as lawyer and as



SCULPTURED STONE AT ST. ANDREWS

From a drawing by Mr. P. Macgregor Chalmers, I.A.

See page 230



INSCRIBED SLAB TO ANTONINUS PIUS

From a plate lent by the Society of Antiquaries of Newcastle-upon-Tyne

See page 236

antiquary, to judge shrewdly, and with the available record evidence under view.

In the *Proceedings of the Society of Antiquaries of Newcastle-upon-Tyne* for 1902 (vol. x., p. 359), Mr. F. W. Dendy, one of the Society's Vice-Presidents, is reported to have questioned the popularly accepted tradition of 'Dagger Money.' 'If any sufficient ground-work could be found,' he says, 'for the accepted and picturesque version of the origin of this yearly payment, they would all rejoice and be glad. But if it was only a pretty tale of modern invention, it should not,' he thought, 'be promulgated and accepted as resting upon any sufficient substratum either of ancient tradition or inherent probability.' Mr. Dendy could find no mention of 'dagger money' in any printed book or other record relating to Newcastle of any earlier date than the nineteenth century. In the old and comprehensive histories of Newcastle by Bourne and Brand, there was no mention of 'dagger money,' and no mention of protection against the Scots. In the Newcastle municipal accounts for 1561 a payment to the judges is mentioned as 'the reward of the judges.' It again occurs in 1566 as 'two old ryalls for their fee,' and in subsequent payment as 'the yearlie accustomed' payment to the judges. There was no word of 'dagger money,' and there was no word about the Scots.

The payment appears to have been always made in ancient coin. In Elizabethan times the coin was a 'spur ryall,' and in Stuart times it was a 'rose noble,' while at the present time it was a 'Carolus' or a 'Jacobus.' The borough of Waterford at one time paid a yearly fee to the Assize judges for allowing its charters. When the judges came into the county all the hardly won liberties and special rights of the boroughs in it were put to the test, and were subject to being either allowed or disallowed by them. The confirmation or disallowance of any rights claimed in derogation of the Crown's prerogative came within their cognizance. Before 1400 Newcastle was merely one of the towns of Northumberland. The Assizes for the town of Newcastle, as distinguished from the Assizes for the County of Northumberland, only began at that date, and with that the town's responsibility for the conduct and care of the judges. As early as 1279 the judges at the Northumberland Assize had taken away the liberties of the town of Newcastle, and inflicted heavy fines upon the burgesses for prison breach, for neglect to punish offenders, and for breaches of the excise laws. For about two hundred years before 1400 it must have been a very desirable thing to follow, what was then, the very usual custom of paying some small complimentary honorarium to judges or other men of high position, and it was desirable in the case of the judges to make this payment at leave-taking after the work was done, in order that the payment might not come within the purview of the statute of Edward I., which forbade judges taking bribes.

Similar payments were also made by the Sheriff of the County of Northumberland, and the only mention of a dagger, and possibly the mention on which the whole of the present theory was founded, was the statement by Roger North in his *Life of Lord Keeper Guilford*, in which a journey made in 1680 was referred to, when the Sheriff of the County

of Northumberland, and not the Mayor or Sheriff of Newcastle, presented each of them; that is, he supposed, each of the judges and Roger North, on taking leave of them at Benwell, with arms: that is, a dagger, knife and fork, and a penknife, 'all together';¹ the meaning being that these objects were either in one or in one case. That was the only mention of a dagger which could be found in connection with the subject. This mention is long after those customary payments of coin recorded in the borough accounts. Mr. Dendy's conjecture is that at some time when the custom revived it might be that some imaginative official of the town had connected those well-known extracts from North about a dagger given by the Sheriff of Northumberland at Benwell, with the payment which was already recorded in the Newcastle Corporation books, as a reward or fee to the judges.

After Mr. Dendy's comments had been published, an unfinished article on the same subject by the late Mr. Longstaffe, F.S.A., formerly secretary of the Society of Antiquaries, was found amongst his papers, and has been published in the *Archæologia Æliana*, N.S., vol. 25, p. 83. In this article Mr. Longstaffe discusses the practice of presenting old coins as tokens and remembrances, and the custom of local payments to the judges of Assize. The article unfortunately breaks off at the point where Mr. Longstaffe begins to describe what was done in Newcastle, but it is evident from the trend of his observations that he also had arrived at the conclusion that the customary payment to the judges at Newcastle had nothing to do with the purchase of a dagger for defence against the Scots.

'No more excellent and no more interesting lectures had ever been delivered under the Rhind Lectureship': so Sir James Balfour Paul in the vote of thanks characterised the Fraser-Professor's comprehensive account of Scotland under Queen Mary. As *Professor Hume Brown's Rhind Lectures*, a descriptive social and economic survey of Scotland after the close of the Middle Ages, eschewing religion, politics, and the infinite wrangles over John Knox and Queen Mary, the lectures form a notable chapter of history, presenting new factors and new estimates of popular forces of the time.

OUR learned contemporary, *The Ancestor* for October, gave (simultaneously with the Rev. James Wilson's article and the Note in our *Gospatrie's* columns) a transcript of and commentary upon the *Gospatrie Letter*. letter by the Rev. Frederick W. Ragg, vicar of Masworth, Hertfordshire. Mr. Ragg has written to us objecting to the terms of our note on Mr. Wilson's good fortune in recognising the document and bringing it for the first time to the notice of scholars. Mr. Ragg claims the discovery of the letter as his, a claim to credit as first finder from which neither Mr. Wilson nor we have any wish to derogate. We are informed that Mr. Wilson's attention was drawn to the document by a distinguished English antiquary who has no connection with Mr. Ragg or the *Victoria County Histories*. Mr. Wilson's examination of the original parchment

¹ *Life*, edition 1742, p. 139.

at Lowther Castle and his investigation of its significance were of course entirely independent, and the recognition of the far-reaching historical import of the writing we take to be his. Students of history will appreciate the publication of the document for the valuable information it contains, irrespective of personal or contentious considerations.

MR. MACGREGOR CHALMERS writes: 'Durham Cathedral is undoubtedly the grandest building of the Norman period in Britain, and its erection must have excited widespread interest in the country. The design was prepared under Bishop William of S. Carilef. The choir, the transepts, part of the nave, and probably the lower part of all the walls of the nave, were completed before his death in the year 1096, or within three years thereafter, when his successor, Bishop Ranulf Flambard, was elected. Bishop Flambard completed the centre aisle of the nave up to the stone vault, and the nave aisles with their vaults. He died in the year 1128. The monks completed the vault of the centre aisle before the year 1133, when Galfrid Rufus was made Bishop. The great doors near the west end of the nave aisles have been rightly ascribed to Bishop Rufus.

'King David I., in the year 1124—the year of his accession to the throne—brought canons of the Order of S. Augustine from Canterbury, and established them at the abbey of Dunfermline. The king's interest in Cumberland and Northumberland was very great. It is not surprising, therefore, that the beautiful nave which he added at Dunfermline to the choir erected by his parents, Malcolm and Margaret, was modelled upon the cathedral of Durham. The details and ornaments of the two structures are so closely related that no doubt on this point can be entertained. Further evidence, linking the two buildings together, and furnishing certain indication of the date of the Scots work, has been supplied recently by the discovery of the eastern processional door to the cloisters at the east end of the south aisle of the nave at Dunfermline. Workmen were employed preparing for the erection of a monument here, when it was found that the stonework was not of Norman date. A portion only of the rubble has been removed, revealing the arch and the capitals of what is probably the most richly decorated Norman work preserved in Scotland. Buried from view in the seventeenth century, the delicate carvings have retained almost all their original sharpness. The capitals are sculptured with interlacing foliage and strap-work; a beautiful acanthus-leaf ornament is carved on the abacus; and the arch is decorated with the chevron or zig-zag ornament and delicate diaper-work. These details are practically reproduced from the beautiful doors in the nave of Durham Cathedral executed about the year 1133. When the whole doorway is exposed, it may be found that there is a still closer resemblance to the work at Durham. One interesting point remains. The decoration of the arch of this door in Dunfermline corresponds with the work on the beautiful church at Dalmeny.'

MR. HAY FLEMING, LL.D., has sent the following note: 'For lack of funds the digging in St. Andrews Cathedral was discontinued on the 4th of November. Before that date a great many trenches or pits had been opened in the chancel, the Lady Chapel, and the side chapels. Each pit or trench was carried down to the virgin soil. It is now quite certain that there is no crypt or sub-chapel to the eastward of the transepts. The circumstantial stories of a buried staircase in that portion of the church have been disproved. The results of the work, however, were not entirely negative. It was found that broad, massive walls connect the pillars of the chancel underground; or rather, it would seem, that broad, massive continuous walls had been built, and the pillars reared on the top of them. These walls had been carried down to the original soil, in places into it, and in at least one place down under a pillar to the rock. The stones had usually been laid in regular courses, but the building had been roughly done, the joints left very open, and apparently no lime had been used. The scarcement below the base-course of the side walls had been nearly all built in the same rude manner. The breadth of the scarcement varies, but much of it has been projected two feet into the church beyond the face of the base-course. The greatest irregularity in the scarcement was revealed by a trench which was dug right across the eastern end of the Lady Chapel. It was found that the projection of the scarcement of the east gable varied from eight inches to two feet four inches. The stones are rough and undressed, most of them unshaped; and the biggest only measures twenty-one inches in length. The joints are very open, and there is no lime either in the joints or beds. The top of this scarcement is quite close to the present surface of the ground, and the bottom is only about three and a half feet lower. It seems a wretched foundation to carry such a lofty building.

'At the northern end of this trench a remarkable discovery was made. One of the labourers, to make sure that he had reached the lowest course of the scarcement, pushed in the point of his shovel angle-wise below it, and was surprised when a bone came out with the shovel. He put in his hand and brought out bone after bone, until he had nearly all the skeleton of a medium-sized man of about forty-five. Dr. Huntingdon, who was present, said that the skull was lying immediately above the pelvis; but, from the position of the bones of the neck, he thought the skull must have belonged to another skeleton. The foundation, he said, went down to within six inches of the natural gravel, and the skeleton was lying entirely between the foundation and the gravel. It could not have been placed in that position after the wall was built; and the natural inference is that the masons in laying this foundation, in or about 1160, deliberately or carelessly, built immediately on the top of the skeleton. This inference is confirmed by the opinion of Professor Musgrove, who saw most of the bones a day or two later, and pronounced them to be at least a thousand years old, and said they all belonged to the same man. They were found within a few feet of the place where eight fragments of Celtic crosses have been utilised by the original builders as ordinary material; and it is quite possible that one of these crosses may have been raised to commemorate the man

whose bones were so unexpectedly brought to light. It is now clear that these crosses could easily be taken out of the base-course; and, by "grouting" the foundation, it could be made much stronger than it has ever been. If these crosses are not taken out, it would be advisable to have them covered, as they have wasted considerably since they were exposed in 1892.

'In the chapel on the north side of the chancel a rude stone cist was found. The sides were formed of thin slabs of freestone set on edge. There were no covers, and no slabs in the bottom or at the ends. The cist was within three feet of the surface. It contained two skeletons. One of these was in no way remarkable, but the other was the frame of a very powerful man, tall and big boned. Dr Gunn, of Peebles, who happened to be present, thought that he must have been about six feet four. He had been buried at full length, with his head to the west, his feet towards the east, and his right cheek resting on the ground, so that his face looked towards the south, not upwards. His teeth were excellent, and two of the back ones were worn perfectly flat. The stone slabs only reached as far as his knees. At that point another skeleton was lying across him, the head being towards the north and the feet to the south. The eastmost slabs of the cist had probably been removed when this other interment had taken place. A fourth skeleton was found on the south side of the cist. All the four bodies had been buried entire, but the period or periods of burial can only be conjectured. It is barely eighty years, it seems, since burial was prohibited within the walls of the Cathedral. Near these skeletons, in the same trench, several bones of a dog were found, and two or three iron nails.

'A little further west in the same chapel a built grave was discovered. Internally it measured 8 feet $7\frac{1}{2}$ inches by 3 feet $1\frac{1}{2}$ inches. The inner surface of the sides and ends was formed of smoothly dressed stones of a pretty large size. There was no cover over it and no paved bottom. This tomb had evidently been interfered with before. The upper courses of the dressed stone-work had been removed. The lower side of the lowest course of masonry is only four and a half feet below the present surface. In this tomb a few odd bones were found, and a number of carved and moulded stones. Some of the latter had been coloured in distemper. The north wall of this vault was fully two feet broad. The skeleton of a young man was found under it. Professor Musgrove said that he had only been about nineteen; that when about sixteen he had had inflammation in his left elbow; that he had carried that arm in a sling; that the joint had become rigid; and that the humerus had ceased to grow. The bones of the fore-arm were at right angles to the humerus. The built tomb, there can be little doubt, was pre-Reformation, and its north wall had certainly been built above this skeleton, for, as one of the labourers said, "It was just on the tap o'm." On the northern side of this north wall two fragments of very dark green paving tiles were found.

'A few pits were also opened in the north transept. These were close to the western wall, of which no trace could be seen above the roughly-built scarcement. About a foot below the surface a layer of sea-sand was observed. It varied in thickness. Four small fragments of sand-stone slabs were found, bearing clean-cut incised lines.'

THAT humour is not necessarily divorced from the study of folk lore and 'Graham,' folk speech is very happily demonstrated by the following note as a from a North of England correspondent. Its accuracy as a North-umbrian record of a very curious 'taboo' in the fishing villages of Northumberland is guaranteed by the authority of an experienced student of popular customs.

'The traditions of the house of Graham include an unfortunate confusion of their patronymic with a name of satanic import. The first Graham was none other than the Gryme, or Grim, to whose supernatural agency are attributed the mysterious 'Dykes' and 'Seughs' that bear his name. Reference to this will be found in the excellent series of articles contributed by Mr. J. H. Stevenson to the *Scottish Antiquary* (*Scot. Antiq.*, vol. xvi., p. 108 *et seq.*). What will interest the folklorist is the living and active belief in the identity of the word Graham with *diabolus* or its equivalent. The fishing populations on the North East Coast are all of them self-centred and distinct from surrounding people, and on the Northumberland Coast especially the word Graham is of evil omen. If it be spoken in the hearing of a fisherman he will refuse to put to sea that day; or, if unfortunately, circumstances compel him to sail after hearing it, misgivings of approaching evil will torment him as long as he remains afloat. The women who bait the lines are equally in dread of any chance utterance of the word. A visitor at a fisherman's cottage unluckily asked for a person called Graham, and, being innocent of the association of the name, was astonished at the immediate effect produced. The kindly faces of the women in the house were instantly changed to so many pictures of terror and dismay. All their labour expended in baiting lines had been lost; every bit of it had to be undone and begun afresh; and even that might hardly avert the omen. Were the belief less intense it might excite a feeling of levity, and the precautions taken are sometimes really ludicrous. Such an instance is thus described. The village of Beadnell on the Northumberland Coast is inhabited for the most part by fishermen. Not long ago a party of house-painters spent some time in the village during the repair of Beadnell Tower, a neighbouring mansion. One of these was a Graham who found himself ignored and boycotted by all of the inhabitants for no reason but his name. With the other painters the villagers were very friendly, and even took them on a picnic to the Farne Islands; but none would allow Graham to enter the boats. The narrator of this incident has suggested the form in which a maker of ancient ballads would, in these latter days, have dealt with it:

'I'm damned if I sail with you, Sir Graham;
Though I may seem uncivil;
But Graham is Graeme, and Graeme is Grim,
An' Grim, sir, is the Devil!'